



3 1761 11968266 4

Government
Publication



Digitized by the Internet Archive
in 2023 with funding from
University of Toronto



No. 51

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Monday, June 20, 1983

Evening Sitting

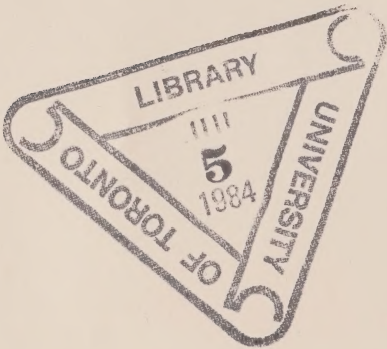
Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.



Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, June 20, 1983

The House resumed at 8 p.m.

House in committee of the whole.

WORKERS' COMPENSATION AMENDMENT ACT

Consideration of Bill 66, An Act to amend the Workers' Compensation Act.

On section 1:

The Deputy Chairman: There are lots of workers in this province, and most of them are right here right now. We do not just talk.

Is there anything on section 1, or shall section 1 carry?

Mr. McClellan: No, there are some amendments, as I am sure you are aware, Mr. Chairman.

The Deputy Chairman: I just wanted to see where we were coming from.

Whom shall I recognize first? There is no one standing up with a rush of interesting comments.

Mr. Nixon: Well, in that case I should just tell you, Mr. Chairman, that in the temporary absence of my colleague the member for Windsor-Sandwich (Mr. Wrye), who has made elaborate preparation for the—

The Deputy Chairman: He has provided that huge sheaf of paper?

Mr. Nixon: Yes, he has provided me with that same body of material, which, as you know, contains a number of amendments, all designed to improve substantially the benefits that are set out in the government legislation. You know that the costs of any of these improvements are borne by the employers, and this is something that makes our amendments in order, I understand.

The Deputy Chairman: Mr. Nixon, on behalf of Mr. Wrye, moves that section 36(1) as set out in clause 1(1)(a) of the bill be amended by striking out "\$1,400" and substituting "\$1,800"; in clause 1(1)(c) by striking out "\$564" and substituting "\$590"; in clause 1(1)(d) by striking out "\$590," "\$157" and "\$176" and substituting, respectively, "\$590," "\$164" and "\$184"; in clause 1(1)(e) by striking out "\$176" and substituting "\$184"; and in clause 1(1)(f) by striking out "\$564" and substituting "\$590."

Mr. Nixon: Mr. Chairman, you can see that

we have worked at this very carefully, and on that basis alone I would expect that the Minister of Labour (Mr. Ramsay), and even the sometime spokesman for workmen in the New Democratic Party, would participate by supporting the amendment. I am hoping that my colleague the Liberal-Labour member for Rainy River (Mr. T. P. Reid) will be here to support us in this important matter as well. But since the whip of the NDP has an amendment to my amendment, perhaps I should subside and let that amendment be placed so the body of our argument can then be put forward.

The Deputy Chairman: I am very pleased, then, to recognize the member for Dovercourt (Mr. Lupusella).

Mr. Kerrio: Wait a minute. Where is the member for Downsview (Mr. Di Santo)? He filibustered on this, and he should be—

The Deputy Chairman: May I suggest that the member for Niagara Falls not tell other members of the House what to do.

Mr. Lupusella: Exactly, Mr. Chairman.

Mr. Kerrio: I thought the member for Downsview would have enough interest in the workers to be here to put these amendments—

The Deputy Chairman: The member for Dovercourt and I will both try hard to disregard these extraneous comments.

Mr. Lupusella: Mr. Chairman, I am trying, too, but I am tempted to make a few remarks, because I am the critic for the Workers' Compensation Board; I think the member for Downsview gave a great contribution to the debate and he will be here in a minute.

The Deputy Chairman: I am not falling into any trap.

Mr. Lupusella: Therefore, just to be consistent with our increases, which were moved around December 1982, we do not accept the 10 per cent increase suggested by the Liberals. I think 15 per cent really comes close to previous losses that injured workers suffered in the past. I am sure 10 per cent will not cover their losses. Therefore, I will move an amendment.

The Deputy Chairman: Mr. Lupusella moves that Mr. Nixon's amendment to subsection 36(1)

of the act as set out in clause 1(1)(c) of the bill be further amended by striking out "\$590" and substituting "\$618"; in clause 1(1)(d) by striking out "\$590," "\$164 and "\$184" and substituting "\$618," "\$181 and "\$203"; in clause 1(1)(e) by striking out "\$184" and substituting "\$203"; and in clause 1(1)(f) by striking out "\$590" and substituting "\$618."

Mr. Lupusella: Mr. Chairman, I am pleased to give a further contribution to the debate. As I stated, in December 1982 we moved a 15 per cent increase, and we want to be consistent with the 15 per cent increase that should take place in injured workers' level of benefits.

As I stated previously, 15 per cent does not really reflect the loss that injured workers have had to face, especially in the last few years, in relation to the cost of living increase. Injured workers across Ontario have been defenceless. They lost purchasing power as a result of the level of benefits they had received from the Workers' Compensation Board, and therefore I think 15 per cent is a fair adjustment on their increase in comparison to the five per cent increase suggested by the government.

As my colleague the member for Oakwood (Mr. Grande) stated, the five per cent increase is putting injured workers on the level of starvation. On the basis of their economic contributions through the years to the economic development of this province, injured workers deserve more from this government.

I do not want to repeat what I said in my opening statement. We all realize that injured workers across Ontario are crying out for justice and that such justice is not met by the bill that was introduced by the government, which is contemplating a five per cent increase in the level of benefits. We are talking about widows who are receiving a fixed amount of money on a monthly basis from the Workers' Compensation Board that is far below the level of poverty across Ontario.

8:10 p.m.

We are talking about benefits given to dependent children. I think the children of workers who were killed on the job are classified by the act and by the level of benefits as second-class citizens across Ontario. They cannot get the same type of education other dependents enjoy. They have been going through a series of economic, social and psychological hardships because they have lost the breadwinner of the family. Therefore, the family has suffered from a loss of income caused by a great loss that took

place as a result of the breadwinner being killed on the job.

This government has been extremely insensitive to the needs of injured workers down through the years. I realize that on July 1, 1975, the ceiling or the maximum annual earnings covered by the compensation board, was increased to \$15,000. I remember well the Tory fanfare before the provincial election that took place on September 18, 1975. They made a big announcement about these increases and talked about the generosity of the ceiling, which was brought up to \$15,000. As a result, the maximum weekly earnings covered by the board then were \$288.46, and the maximum weekly WCB payment was \$216.35.

The government made a big announcement about those increases in July in preparation for the provincial election that was supposed to take place in either June or September. We know for a fact today that the election took place on September 18, 1975.

I remember vividly when the Premier (Mr. Davis) left Ontario to go to Italy to try to get Italian support and, in particular, the support of injured workers across Ontario. I remember that there was a big demonstration at the airport when the Premier left the province. Injured workers were demonstrating because of the inefficiency and bureaucratic process that was taking place at the board level.

People were not satisfied with the amount of money they were receiving from the Workmen's Compensation Board. Even though the \$15,000 ceiling gave the impression that the problems of injured workers would be solved in one way or another, eight years later we know that \$15,000 and \$216.35 are really not enough. The skyrocketing cost of living that has taken place over eight years has set back the purchasing power of the pensions and the level of benefits of injured workers.

Eight years later we are faced with the same problem. Injured workers in particular are complaining that the benefits are not enough. The level of benefits does not cover what they would have if the breadwinner were alive and working in the labour market. They are trying to get the extra income they have lost because the breadwinner has passed away.

The government and the Minister of Labour have not shown any particular concern about the widows and the amount of money they were getting. In the past eight years I have had evidence in many phone calls from people complaining about this situation, and I am still

receiving phone calls after the announcement that the government will increase injured workers' pensions by five per cent.

The message from the injured workers is clear-cut: "Fight back, because the government is not giving us what we deserve to get. We have made our contribution to society and to the socioeconomic development of this province. There is no recognition whatsoever from this province taking into consideration or trying to establish the right level of benefits that would reflect the contribution we have given to the province as a whole."

I think the government has been cruel and insensitive to its injured workers through the years. I remember that in 1975, as my colleague the member for Downsview has stated several times, the then Minister of Labour, the member for York Mills (Miss Stephenson), delayed the process of increasing injured workers' pensions for three years with the excuse that the Wyatt report was supposed to take a look at the financial implications and the liability of the board for the next three or four years after 1975, and after three years of wasting time we realized the Wyatt report actually was not worth it.

From the evidence that was brought to our attention, the WCB actually had enough money that it had collected through the years from the employers' assessments, and it had invested this money in short- and long-term securities. Actually, there is money available to give to injured workers. What the injured workers are waiting for is a compassionate approach from the Minister of Labour and the government that will take into consideration their economic and social conditions. One day justice will be done as a result of that.

By the way, as a result of the remarks by the Liberal member for Niagara Falls, the member for Downsview is with us. We know for a fact that he has been deeply involved with injured workers' pensions and the level of benefits for so many years.

Mr. Kerrio: I have been more involved than he has.

Mr. Lupusella: I knew that he would come on time to participate in this crucial debate that is taking place in regard to amendments to the Workers' Compensation Act.

But as you stated, Mr. Chairman, I want to ignore completely the interjection of the honourable member, because I want to pursue the principle that it is time the government faced once and for all the situation that injured workers are in and have been in and the misery

they have been going through for so many years as a result of the inefficiency of the Workers' Compensation Act.

The government is trying to justify each increase as being fair and related to fiscal responsibility. I think this type of justification does not give injured workers the concrete support they deserve. They deserve to have it because if we go back through the years we realize that the government and the board were not generous in increasing pension benefits to the right amount for injured workers across Ontario.

8:20 p.m.

We are talking about a situation that in the past has had traumatic consequences for families, dependent children and widows. The government seems unable to meet that challenge and instead goes back to the principle of fiscal responsibility. It fails to find out how many billions of dollars the board has invested and say, "Let us give some of this money to injured workers."

It should understand they have been going through a very difficult period since the time they were injured. It should be saying, "Let us try to give back what they were unable to get from the board when they were assessed for the level of their benefits, or before July 1975, when the board declared that injured workers could perform light jobs." Even though light jobs were not available at the time, their benefits were automatically cut back by 50 per cent. At least in 1975 we saw some sort of justice. If a doctor declared an injured worker fit for light duties and the worker looked for a light job, his or her benefits would be restored to 100 per cent.

We should reconsider all the claims from pensioners, injured workers, widows and so on before 1975 and the money they lost as a result of a law that was completely insensitive and inefficient. The Minister of Labour should use a compassionate approach instead of giving a five per cent increase to injured workers. This does not really recognize the traumatic situation they suffered as a result of an accident.

We realize that the Liberal Party's motion to increase injured workers' pensions by 10 per cent will be defeated by the government anyway. Our amendment, which would give a 15 per cent increase, will also be defeated. I do not think this is a fair process we have to go through. I am sure there are several members sitting on the government side who are extremely sympathetic to the needs and problems that injured workers face today and have been facing in the

past. I am sure that members of the Legislature from all political parties have had experience in one way or another with injured workers' pensions.

I am sure there are sympathetic members sitting across the floor who would like to see injured workers in a better financial situation than the board is establishing today as a result of the act under which they must operate. I have heard comments in the past even down at the board level that they are not completely responsible for all the injustices that took place in the past. The responsibility really rests with the politicians and the provincial Legislature, which has the power to change the act.

I have a message for the board as well. It is a corporate board, and it also establishes policies by itself. The administration of the board actually operates on a daily basis with policies similar to those established by such corporate boards, so I do not think the provincial Legislature is fully responsible for the bureaucratic process of mismanagement that took place through the years at the board's offices or for all the people who have been complaining about their insensitivity in taking positions that affect their livelihood tremendously.

By the way, just to give the members a small example of what is happening at the board level—and I do not know who is responsible—yesterday I got in touch with the representatives of the board in relation to a constituent of mine who had attended a training course given by the rehabilitation department for seven weeks. He was on a pension of \$215, if I am not mistaken. During the seven weeks of training he had not received any money in relation to the rehabilitation process that was taking place.

Actually, when I called, the people down there were extremely surprised, and as a result of the phone call the situation was immediately corrected. They got in touch with the injured worker. They apologized for the delay in the money the injured worker was entitled to receive every two weeks as a result of the rehabilitation process he was in.

I think this injured worker had complained several times to the rehabilitation officer, who, it is my understanding, did not do a good job of looking after this important financial commitment of the board. Injured workers are supposed to get money during the rehabilitation process. They are fully aware that a pension should go out every two weeks to injured workers, especially those who are undertaking a training course.

There are problems all over the place. I think

the board should come to their senses and injured workers should not be penalized as a result of their unfortunate situation of being under the Workers' Compensation Board, which I am sure in the past was very surprised to know that injured workers had suffered injuries. I am sure they were discriminated against just for the simple reason that they had taken money from the compensation board.

We view the WCB as a right for injured workers, for people who are employed in the labour force and who have an accident. I think the board should be seen not as a form of charity but as a right for all injured workers, for all workers across Ontario who are so unfortunate as to face an accident during their lives.

I think we will not be able to convince the Minister of Labour that serious changes are needed in the act, that injured workers across Ontario are not satisfied with the five per cent increase, nor are they satisfied with the 10 per cent increase suggested by the Liberal Party. I think they are expecting more and they will expect more from the Minister of Labour and from the government of this province. It is so strange that I have to stand here in this Legislature debating a bill that contemplates a five per cent increase, and I am fully aware that the Liberal amendment for a 10 per cent increase and my amendment for a 15 per cent increase will be defeated later on this evening.

8:30 p.m.

Mr. Kerrio: I don't think so. No, they are going to pick one or the other.

Mr. Lane: Think positively, don't be negative.

Mr. Di Santo: And you will agree with them.

Mr. Kerrio: Odoardo, I'll bet you; 10 per cent.

Mr. Lupusella: It is a very frustrating process for us. It is frustrating for the Liberals and in particular for the NDP, but it is more frustrating for injured workers across the province who are expecting some sort of financial relief; such relief is not forthcoming from the government side.

I warn the minister that we plan to introduce new amendments about October, when the House reconvenes. We are going to raise the same sort of criticism we are raising today as to the insufficiency of the increases for people and injured workers who largely are not affected by the amendments that will be introduced. I am quite sceptical about the government's manoeuvre and the position that is going to be taken at the time the new amendments are introduced.

I am sure injured workers have been living on

small pensions given by the board for so many years. I know there are several thousands of injured workers receiving family benefits from the province. Actually, we have reached the point where the government is subsidizing benefits for employers across the province because injured workers have been forced by the policies of the board, and by the action of this government, to get some sort of financial relief from family benefits. Of course, such family benefits are inadequate; but if one wants to make a comparison with WCB benefits, WCB benefits are more generous than the others.

Employers are screaming and complaining that their assessment is going up. My clear message to the government and the board is that the government is in a position today where, if it were to take some of the billions of dollars that have been invested by the board, it would relieve the financial hardship injured workers have suffered down through the years. To do that the Minister of Labour must convince the other members of the cabinet that such a move has to take place.

My particular concern is that when the new amendments are introduced, we will forget the situation of all those workers who were injured on the job and who are getting small pensions from the board. I hope that either the committee or the minister will find a way to solve the situation of thousands of injured workers who have been living in misery for so many years.

I realize the minister is going to maintain the position that, down through the years, the government has taken into consideration the cost of living increase clause for our injured workers. I want to tell him that such an increase did not take place on a regular, yearly basis.

For example, let us consider that the ceiling of January 1, 1952, was \$4,000; it was increased to \$5,000 in 1957, five years later. Five years later the benefits increased from \$76.82 to \$96.15. Of course, I do not have any statistical data to know how great the cost of living increase was during that period. I am sure it was not in the government's mind to take into consideration the cost of living increase clause, because injured workers across Ontario pursued this particular principle when they started organizing. They were trying to make a concrete demand to the government that the cost of living be taken into consideration when the government was contemplating further increases in the level of benefits.

With that perspective and that scenario, I hope the government will do something about

it. As I stated, our amendments will be defeated, but I am sure in December of this year we will raise the same type of criticism we are going to raise tonight. It will be like talking to a brick wall, but not because the government is not aware of the situation. It is a political situation we are locked into, and the government is following the political course of defending employers across Ontario instead of defending the injured workers' needs across the province.

I want to remind the minister again that the 15 per cent increase which we are suggesting and which we had suggested around Christmas is not unrealistic. It should be acceptable, at least to all members of this House, if we are talking seriously about the injured workers' needs.

We do not have to penalize employers across Ontario by increasing their assessment rate by 15 per cent. I want to re-emphasize the principle that there is enough money, totalling billions of dollars, invested by the Workers' Compensation Board. In December 1982, I brought to the attention of the government the billions of dollars the board had invested in short- and long-term securities.

If the government chooses to weigh, and I am sure it will, each political decision with fiscal responsibility on its mind, and if it defends employers across the province because employers will be its constituency during the next election, then I say to the minister that the money invested can be pulled out to be given to injured workers and will cover all the loopholes and the sources of injustice to which they have been subjected for the many years since the act was enacted by this Legislature.

I do not think employers should be penalized; they do not have to, because the money is there. The government and the board will collect the money on a yearly basis as a result of the premium the employers have placed with them. It is just a matter of becoming politically and socially mature to take into consideration the vast majority of people who have been living in poverty for so many years. We have an obligation, as a Legislature and as a government, to take into consideration the economic and social situations into which their accidents have forced them.

8:40 p.m.

If the government and the Minister of Labour decide not to increase injured workers' pensions by 15 per cent, the government will be in the position of defining injured workers as second-class citizens across Ontario. Instead of the five per cent increase in their pension giving them a

boost, it will demoralize them further. I think that is unfair.

I realize the federal and provincial governments did not take the bishops' economic statement into consideration. We have a religious obligation as a Legislature and as a government towards injured workers to make sure they can meet their financial commitments as a result of the money allocated by the board according to the degree of disability which they have suffered.

Again the government is hard of hearing. We know for a fact the government and previous Ministers of Labour were extremely insensitive to this situation. The government will become more insensitive to the injured workers' needs at the time when the changes are required, needed and requested by injured workers across Ontario.

To conclude my remarks on subsection 36(1), we are going to vote against the 10 per cent increase suggested by the Liberals. I hope we have convinced the Liberals, on behalf of injured workers across Ontario, that the 15 per cent increase is more fair. I am sure they will join us tonight to show the sort of compassionate and political action of which the Liberal Party is capable by supporting our amendment.

Mr. Kerrio: Mr. Chairman, at the outset I want to commend the New Democratic Party for its stand and to suggest in all sincerity—

Mr. Di Santo: That is the first time.

Mr. Kerrio: It is not the first time. I will explain as I go on.

Certainly the worker has every right to expect the support of the New Democratic Party. But as an employer over many years and certainly as a person who has spent many more years in work clothes and with workers than I have in this august establishment—I had as many as 100 people in my employ, and I always made the comment that those people did not work for me but worked with me—I tell the honourable members that there is a real world out there that I was part of.

I feel very strongly about supporting the injured workers, as the honourable member does, but I do not want him to think that his is the only party that supports that position, because everyone of any consequence in this country knows that without the worker there is no way that industry or any other function of this country can prosper.

The fact of the matter is that my comments were taken out of context. I say this with the greatest respect to the member for Downsview

(Mr. Di Santo), because he got up the other night and made very valid points on what the injured worker should expect; but coming from the real world, I must bring into focus some things that are very appropriate and must be said in this kind of a debate.

The reality is that workers' compensation is no-fault insurance. In that respect I say that an employer, no matter how careful he is or how little he is responsible for any accident that might transpire on the job, pays the full premium for that no-fault insurance.

I am not saying that is wrong, but I want to bring it into perspective because the New Democratic Party does not address itself to that part of the real world. When I say that, I say it with something else in mind. It matters little to the family of an injured worker whether he breaks his leg on the way to the job or whether he breaks it on the job. I have stood in my place for many years in the Legislature and said that anyone who is injured should have compensation. He should not have to rely on workers' compensation, which only protects him on the job.

That leads me to a comment that I think is valid and one I have made many times. It has been twisted and turned out of context by some members over there, but I have said this. I challenge them to look back in Hansard and see if anywhere they can find that I have not had the compassion, the support, indeed the willingness to give the injured worker, the widow and the people who make our country what it is the kind of support they deserve.

To do that, there is another dimension that has never been considered. If we are going to have no-fault insurance, if we are going to protect a worker on his way to and from work, the government is going to have to play a wider and larger role. It is going to have to do some of the funding. Little wonder we can do the things that should be done for an injured worker when it is put on the back of small business or any kind of business. The government is saying the way out of the dilemma of this whole economic depression is to get the small businessman to bring us back out of the dilemma. But then what does the government do? It heaps more costs on him and thinks that money comes from somewhere in outer space. It is not true.

We are going to have to convince this government it is going to have to play a larger and broader role in the support of an injured worker, a widow or a widower of an injured worker. Some people lose that perspective. I say with

the greatest respect to those who have never paid \$10,000, \$12,000 or \$15,000 on top of their payroll to meet the obligations to workers' compensation, they think that is just added to the price of the job, but that is not quite true when one is in a very competitive business. It becomes most difficult. It is not the way to give a worker in this province full protection.

If the members over there think they can just ask for 15 or 20 or 25 per cent from the employer on a no-fault insurance plan, they are absolutely wrong. The way this is going to work is for everyone in society to accept the responsibility for a worker who is injured, whether it is on the job, off the job or wherever.

There are other things they may not know. A small business pays liability insurance and many other insurances on the basis of its payroll. I have been through this. It becomes very much more of an advantage to a small company to have more equipment and machinery than people if it is going to be charged on the basis of its payroll for workers' compensation, insurance, liability insurance and all of the other things that happen.

There is a real world out there. It is a fact that the Liberal Party looks at both sides of an issue. It begins to look at the protection of the worker and how it can be best accomplished, but it also looks at the small entrepreneur who is out there in difficult times trying to make ends meet.

I say to the minister that I support the position of the New Democratic Party; it is looking for everything it can get for the injured worker. I also say we have to be realistic. Unless the government plays a larger and broader role in accepting that no-fault insurance is going to look after any injured worker or widow and picks up that aspect of it that should be the responsibility of the government, we can only give the kind of increase that the government feels obliged to do.

I say to the Minister of Labour that at another time, another consideration of workers' compensation has to take into account that those workers, whether they are injured on the job, on the way to the job or on the way home, should have full protection and this government and the people of Ontario have to participate in the payment so that we all share the responsibility and in that way give a worker what he is rightly deserving of when he is injured, or when the woman is widowed and needs the help that should come from this government.

8:50 p.m.

Mr. Di Santo: Mr. Chairman, I would like to speak briefly to the amendment to the amendment. I regret to say that the member for Niagara Falls (Mr. Kerrio) started his argument pretty well but finally managed in a masterly way to destroy it. I do not think we can play with words and say that we all agree workers should be compensated but, given the circumstances and given the fact that since we have a particular structure of no-fault insurance in Ontario we cannot afford it.

I want to ask the Minister of Labour a simple question, and I hope he is able to answer us. Can he tell us how much his amendments will cost the Workers' Compensation Board, how much the 10 per cent proposed by the Liberals will cost and how much 15 per cent will cost?

I want to tell my friend the member for Niagara Falls that in the three years prior to 1983 the assessments to employers had not been increased at all; so if he feels the cost to the employers will be excessive, he is talking of something that does not exist, and the real world he is talking about is only in his mind.

Will the Minister of Labour please tell us how much the New Democratic Party amendments will cost, how much the Liberal Party amendments will cost and how much the government's amendments will cost?

Mr. Mancini: Mr. Chairman, I did not have the opportunity to speak the other day on the bill. As you know—I believe you were in the chair—we had a very lengthy debate that took the better part of an afternoon and the whole evening. There was only one member that took part in the debate, unfortunately, so many of the comments I would have liked to have made on that evening will have to wait for another occasion.

On this amendment I want to put forward two or three things I have on my mind concerning the Workers' Compensation Board and its process, and in particular the amount of increase the Legislature will award injured workers for the unfortunate fate they have suffered in the work place.

First, I am absolutely sure that if the Liberals had proposed a 15 per cent increase, the New Democrats would have proposed 20 per cent; and if the Liberals had proposed a 20 per cent increase, the New Democrats would have proposed 25 per cent. Let us face facts as they are. You just cannot win in a bidding war with the New Democratic Party; one of the main reasons is that they are so far away from actually ever having to carry out any of their promises, it gives

them a great deal of comfort in being able to outbid anybody else.

Mr. Philip: Boy, you guys haven't studied the latest poll. Have you seen the latest poll?

Mr. Mancini: No, I have not seen the latest poll. What does it say?

Mr. Philip: You had better take a look at it before you make silly statements.

Mr. Mancini: Well, I do not know. They have 30 seats, I am told, and we have 33. Is that not so?

Mr. Nixon: They get paid for 30.

Mr. Mancini: Oh, I see. They get paid for 30 seats, but they only have 22. I see; I have that straight now.

We have looked over the increases that the injured workers have been awarded over the past several years. It is true they have probably lost a couple of per cent because of inflation and because the government's increases of previous years have not been that great, but the 10 per cent increase we are offering will more than make up whatever percentage they have lost to inflation.

Futhermore, under the conditions facing small business today, as my good friend the member for Niagara Falls stated, small businessmen as well as the giant corporate citizens are having to pick up the tab all by themselves. I do not doubt that any number of members from all sides of the House could get up and make an impassioned speech about why they should get 15 per cent. There is not a person here who could not do that, as a matter of fact. Why? Because when one looks at an injured worker and one realizes the frustration, agony and pain they have gone through, no amount of money, no amount of weekly payment, no amount of pension will ever give them back what they have lost; and that is the ability to work in most cases, and in other cases hours, weeks, months and years of suffering. We will never be able to repay them for that.

What we must do—and my friend who was a Rhodes scholar not too long ago will probably have to agree with me—is try to come up with a reasonable and fair settlement at this time. Frankly, I am very disappointed that the Weiler report is still in stages of hearings and that no real fruit has been produced. It has gone on now for three years at least. I am very disappointed that the Weiler report is not before us and that we have to deal with this bill before the report comes in.

I recall that the member for York East (Mr.

Elgie), when he was Minister of Labour, assured us before the 1981 election that there would be speedy hearings on the Weiler report and that we would be moving quickly to deal with many of the things that Weiler said we should deal with and all of us know we must deal with. Unfortunately, that has not come to pass. I do not particularly lay that at the doorstep of the minister but, ultimately, because of the job he holds, he must take responsibility for that.

In conclusion, I must say it is no use getting into a bidding war with the New Democratic Party. As I said earlier, if we offered 15 per cent, they would offer 20 per cent. If we offered 20 per cent, they would offer 25 per cent; and it would go on and on. We will just have to deal with these amendments as they come before us. Personally, I believe the 10 per cent is fair for the present time.

Mr. Martel: Mr. Chairman, the member who just spoke of course was imputing motives to those of us on this side of the House. Unlike the Liberals, who did not pluck a figure out of the air, we did some calculation and found out that over the years the workers had fallen behind by 15 per cent. That might come as news to my friends.

Mr. Mancini: Then let's raise it 30 per cent.

Mr. Martel: No, they fell behind 15 per cent. What we say is they catch up and get what they are rightly entitled to based on the fact that for a number of years when we were not raising the pensions they were falling behind. That might not seem like much to my friend, who says we cannot repay them because they are injured and they will go on suffering no matter what we do, so therefore pay them lower than they are entitled to and that makes it right. That is adding insult to injury.

Maybe my friend would like to accept our amendment in view of the fact that it is based on the calculations of what they lost over the years. If it is expecting too much to put back their purchasing power—

Mr. Mancini: That is a sleazy interpretation of what I said and the member knows it.

9 p.m.

Mr. Martel: I do not think it is sleazy at all. Is that not what the member said? I wrote it down. What he said was, "We cannot repay them for the suffering they have undergone as a result of the accident."

Perhaps my friend wants to reconsider his position. The 10 per cent his party proposes does not take into consideration what they lost

over the years. Surely they should be entitled to that.

Mr. Mancini: The member should consider what he has said.

Mr. Martel: No, I am being quite factual in what I am stating. They have lost that. Surely, with all the crocodile tears I see coming from over there, they should be prepared to compensate them for that loss. That would not be expecting too much. But to suggest they cannot be repaid monetarily because of their suffering, I suggest it would ease that suffering rather significantly if they had what they were entitled to, based on the loss of purchasing power over the years.

That is what we have based our figure on. It was not based on the silly allegations by the member, who said if they had raised it by 15 per cent we would have gone to 20 per cent, and if they said 20 per cent we would make it 25 per cent. That is a new low. We were calculating the loss factor over the years. It comes to 15 per cent. The member might want to put his research staff to work, find out what it is and base it on reality.

I am surprised the minister and I are standing here tonight, as we have for the past number of years, considering amendments to this act. It was that very government sitting across the way that trundled off to Ottawa some time between 1971 and 1975, led by none other than Rene Brunelle, adamant that the federal government should put a clause in the Canada pension plan to tie it to the consumer price index. This government demanded that of the federal authorities. They said, "That has to be part of the Canada pension, as it is in the old age pension."

I have made repeated efforts over the years to get one cabinet minister to tell me why they are not prepared to introduce indexed pensions. This government itself, in its hypocritical fashion, went off to Ottawa demanding that the CPP and the old age pension be indexed but it will not index the pensions for which it is itself responsible. I suggest to the minister that is an odd way of doing business. It was good enough for Ottawa and the Canada pension but it is not good enough for workers' compensation. We would not have to go through this nonsense every year and workers would not fall behind but would keep up to the actual consumer price index increases. We would not have to argue year after year.

This government has continuously allowed the amount of increase given to injured workers to fall behind the rate of inflation. Today we are

still approximately 15 per cent behind. Perhaps the minister can tell me why. They play that game with CPP and old age pensions, but they are not prepared to index workers' compensation in Ontario so that it occurs automatically as it does in Ottawa. It saves everyone a lot of anguish and, more important, it gives injured workers the protection they need so that some government that is trying to weasel out of giving them increases related to the consumer price index would not be allowed to do so and some minister who would like to give seven per cent but has been told by cabinet that he cannot, would not need the authority to do so; because it is indexed it would proceed apace.

I suggested to my friend the member for Downsview (Mr. Di Santo) that I could go on here for about three hours if I got wound up on one particular case, but I sent the minister a note—

Mr. Di Santo: Please do.

Mr. Martel: Do you think I should?

Mr. Di Santo: Take your time.

Mr. Martel: I have a case I would like to put on the record, based on a man not having received a pension despite having lost his right hand at age 13. The member from Niagara says it is not insurance without proving fault. This young man's case was—I am not going to go on, so the Chairman can relax.

The Acting Chairman (Mr. Robinson): If you go on, I could relax further.

Mr. Martel: I am just trying to get the minister to indicate to me that he is prepared to sit down with me and the deputy minister so I will not need to put this case on the record at this time.

Hon. Mr. Ramsay: On a point of order, Mr. Chairman: that is ridiculous. The member has brought that to my attention before. I have offered to sit down with him. Now he is making a big thing out of asking me tonight whether I will sit down with him. I have already told him a dozen times I would sit down with him at any time. I do not have to listen to that sort of nonsense.

Interjections.

The Acting Chairman: Before we get any further down this road, let me say to the member for Sudbury East—

Mr. Martel: Mr. Chairman, as I said—

The Acting Chairman: Order.

Hon. Mr. Ramsay: I said that to you out in the hall a month ago.

The Acting Chairman: Order. To the member for Sudbury East, if I may, I am looking at the amendment to the amendment which is what we are debating now.

Hon. Mr. Ramsay: If you would follow up instead of procrastinating, we would have some resolution.

The Acting Chairman: Mr. Minister, order, please. Let me just go over what we are doing here. We are dealing with an amendment to the amendment offered by the member for Dovercourt (Mr. Lupusella). As near as I can tell by reading it again very carefully, it strikes out certain numbers and substitutes certain other numbers within the context of the first section.

I am sure the member for Sudbury East will very closely and quickly link whatever remarks he is going to offer at this time to the substitution of one set of numbers for another, will he not?

Mr. Martel: After you have finished all that, Mr. Chairman, I was only doing that with tongue in cheek because I had sent the minister a note a little while ago saying, "You just promise to meet with me and I will sit down." But I got them all going and they just jumped at the bait. They went on and on.

I would have been sitting down by now if they had listened for 30 seconds. If the minister had not been so thin-skinned and had looked up, he would have seen I was smiling because I was just pretending I was going to go on for three hours. He just blew his stack. That is unfortunate, but I am going to meet with him. I am glad he said it. That is why I sent the note earlier. Now that they have all let off steam, I will sit down.

Mr. Swart: Mr. Chairman, this is not because the members for Dovercourt, Downsview and Sudbury East have not adequately put the case of the New Democratic Party for the 15 per cent increase. The members may recall the other evening when the member for Downsview was speaking, he said he was very angry about this paltry increase for injured workers.

I want to say I share that anger with him, as do all the rest of our caucus. The reason I share that anger is there is no doubt this is part of a deliberate and accelerating policy of this government, and of the federal Liberals too, to place the burden of the recession on the backs of the poor. I do not think there is any question about that at all.

9:10 p.m.

We have a proposed five per cent increase when the latest increase in the cost of living was

6.6 per cent. That means the injured workmen are going to have a drop in their standard of living at least 1.6 per cent now, a drop that adds up over a number of years to something like 15 per cent in their standard of living.

That is the reason this amendment is before us at the present time. This is a deliberate policy of this government. I do not think there is any question about that; the facts will bear it out.

I have had some dealings with the Minister of Labour, as most of the rest of us have, and I personally have come to the conclusion that he is a kindly, compassionate person. But I also remember that he is a member of the Tory government and there is not very much that is kindly and compassionate about that government on the other side.

Mr. Boudria: They are a real mean bunch.

Mr. Swart: Yes, they are a real mean bunch. Like the federal Liberals, they were quite prepared to put the burden of this recession on the backs of the poor and to widen the gap between the wealthy and the poor.

Back in 1981, statistics were given by Statistics Canada which showed that over the past 30 years the percentage of income going to the bottom 20 per cent of Canadian families had actually dropped from 4.4 to 3.9 per cent. Twenty per cent of the families of this nation who were on the lower income received something like 3.9 per cent of the national income in 1981. That in itself is a condemnation.

Back in 1981 there was a study done by the National Council on Welfare and the Social Planning Council of Metropolitan Toronto. I quote that report: "Restraint is not borne equally by the members of society. People who cannot protect themselves are bearing the brunt of this restraint. In Ontario, the poor have become poorer because it was government policy, not because the province could not afford a more generous social assistance program." Here we have just one further step in widening the gap and putting the burden on the poorer ones in our society.

It has been mentioned over and over again about the doctors receiving their 12 per cent increase. Here we have the injured workmen going to get five per cent according to the government's policy. That sounds as though the doctors are getting something like two and a half times as much, but when we come to dollars and cents—and I say to everyone here, the cost of living is in dollars and cents; it is not in percentages—it means that the injured workmen who are on full permanent disability will get

something like a maximum of \$750 a year increase, whereas the doctors will get on the average something like \$10,000 this year, which is 12.5 times as much as the injured workmen will get.

The widening of the gap has been accelerating in recent years. It does not matter whether it is on the minimum wage, family benefits, welfare or on workers' compensation, which is really the saddest of the sad group because not only have their increases not kept up with the cost of living, with the consumer price index, but in addition they have had the pain, suffering and indignity from their injuries.

We have this government policy providing this kind of reduction in the real standard of living to the poor in our society, yet when it comes to dealing with corporations—whether it is Consumers' Gas, Bell Canada or the banks—we find it does not interfere whatsoever with the tremendous increases they are making even in these times of so-called restraint.

I want to conclude by saying to those to our right or to those across the hall that if they represent the Liberal philosophy in Ottawa they may think there is nothing wrong with this sort of government policy, but I want to reaffirm that we in this party do. It is why we feel so strongly and why the member for Downsview and many others have taken the time to speak on this issue before us.

We really believe what the bishops said in their report: "We firmly believe that first priority must be given to the real victims of the current recession, namely the unemployed, the welfare poor, the working poor, pensioners, native peoples, women, young people, and small farmers, fishermen, some factory workers and some small businessmen and women. This option calls for economic policies which realize that the needs of the poor have priority over the wants of the rich, that the rights of the workers are more important than the maximization of profits."

They went on to say in their fourth proposal: "Greater emphasis should be given to the goal of social responsibility in the current recession. This means that every effort must be made to curtail cutbacks in social services, maintain adequate health care and social security benefits and, above all, guarantee special assistance for the unemployed welfare recipients, the working poor, the one-industry towns suffering from plant shutdowns."

What we are talking about in this party is social responsibility. We are in a time of restraint

but we say it is not necessary and with control of the economy we do not need to be in the situation we are in. If we are in this kind of period, it should not be the poor in our society who suffer. They should at least have the right to stay even with the cost of living. If there are going to be sacrifices made, and cutbacks, they should be made by the wealthier in our society, not the injured workers and others like that.

The Acting Chairman: All those in favour of Mr. Lupusella's amendment to Mr. Nixon's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

The Acting Chairman: I would inform the House that not only does the amendment to the amendment stack, but also the amendment itself, which means we will either have to carry the balance of the section, if that is your wish, or move on to whatever next section members wish to debate.

On section 2:

The Acting Chairman: Mr. Nixon moves that subsection 36(6) of the act, as set out in subsection 2(1) of the bill, be amended by striking out "\$1,400" and substituting "\$1,800" therefor.

Mr. Nixon: Mr. Chairman, the amendments the official opposition is putting forward to this bill increase the benefits uniformly by 10 per cent. My colleague the member for Essex South (Mr. Mancini) has already pointed out that it is relatively easy and, in fact, cheap for the opposition parties to get into a bidding war in this regard, but our judgements vary somewhat in this connection and, of course, the Liberals being a party of sensible moderation we have come down with a figure somewhere in the middle.

There are those who say that is the *raison d'être*, as we say in South Dumfries, for our party, and moderation and careful consideration of all sides was the theme of the contribution to the debate by the member for Niagara Falls (Mr. Kerrio). Frankly, I thought he was very perspicacious and persuasive in putting those arguments.

I have listened to what the more impassioned members of the New Democratic Party put forward—those who were not making jokes about this important matter—and I would grant as well that their commitment to this matter is one that is worthy of our respect.

9:20 p.m.

We cannot do everything at once. The suggestion from the NDP House leader that these amounts ought to be indexed is a sensible one indeed. It would mean that the minister or his successors would not have to go through this little charade just before we adjourn each summer and listen to the line-up of committed comments from the opposition parties. I really do believe in this instance it is ridiculous that the benefits are not indexed, that they are simply based on the goodwill or the responsiveness of the Minister of Labour, who changes from time to time.

Mr. Di Santo: The whim.

Mr. Nixon: "The whim" is exactly right.

Why some benefits or pensions should be indexed and others are not is, of course, a good argument, but in this instance where we are providing benefits for those people who, through no fault of their own, have to depend on whatever moneys are available as a result of this debate and as a result of the action of the government, the increases ought to be automatic.

This section, as you know, Mr. Chairman, deals with the benefits provided for widows or widowers. Having examined the various alternatives and responding, I suppose, to pressures, as all of us as politicians must, we have come down with what we consider to be a moderate and supportable alternative of a 10 per cent increase at this time.

Mr. McClellan: Mr. Chairman, it may surprise my colleague and friend the Liberal House leader that we intend to support the Liberal amendment to this section for the simple reason that, if he took the time to count with his fingers and toes, he would discover that the Liberals are proposing a 15 per cent increase and not a 10 per cent increase.

It is all very nice for members of the Liberal Party to stand up and have some fun with the NDP position at 15 per cent and then themselves move selective increases at a 15 per cent level. The fact remains, and we have made the case again and again, that injured workers' incomes have fallen behind by roughly 15 per cent. What we are trying to do with our amendments is restore the purchasing power of injured workers before the Weiler reforms are brought in by the government.

Once those reforms are in, the level of pensions will be frozen at whatever they are today. If injured workers are still behind the cost of living, they will stay behind the cost of living. That is why we chose the 15 per cent

figure. It is not, as the member for Essex South said, that we are trying to outbid anybody, that if the Liberals had said 15 per cent we would have said 20 per cent and if they had said 20 per cent we would have said 25 per cent. That is a cheap innuendo and I resent it very much.

This amendment before us is 15 per cent. It is a good amendment and we intend to support it.

The Acting Chairman: Mr. Nixon moves that—

Mr. Martel: On a point of order, Mr. Chairman, before you put the amendment: Is it the minister's intention not to respond at all to any of the amendments that are being moved? He chose not to respond on the first one, and it was voted on. We are now moving a second amendment and he is not here to respond. Surely, as we raise these issues, the minister should be in a position to indicate either why he is not going to support it or why he would support a particular amendment. Just to have an absolute silence seems to me to be irresponsible.

Mr. Stokes: Even an answer.

Mr. Martel: Yes. I think it is highly unacceptable that this sort of procedure is carried on.

The Acting Chairman: I accept what the member for Sudbury East says on his point of order. As he knows, all I can do is invite any honourable member who wishes to to participate in the debate. If none rise, as the member for Bellwoods (Mr. McClellan) has completed, then I am obliged to put the question.

Mr. McClellan: I am sorry, Mr. Chairman. Who has the carriage of the bill for the government? I do not know how we can proceed to pass a bill in the absence of a representative of the government to carry the bill in the House.

Hon. Mr. Gregory: Mr. Chairman, speaking to that point of order, the minister has been sitting in the House all evening, as the members well know. If he chooses to—

Mr. Di Santo: He left. He took his briefcase and left.

Hon. Mr. Gregory: I am sorry, he did not leave and I can assure the member the minister is here. The fact is the minister seems to be choosing to address these points, which seem to be all the same point, when he chooses to address them. I see nothing wrong with that.

The Acting Chairman: On the same point, the member for Sudbury East.

Mr. Martel: Mr. Chairman, surely when members ask specific questions to the minister with respect to certain items in an amendment that is

being proposed, there is some courtesy that should be taken into consideration in responding to the amendments that are being raised. Simply not to respond is not in keeping with the practices of this House. We are expected to vote without the minister having an opportunity to indicate whether he is going to respond. Could we just wait until the minister returns before we proceed?

Hon. Mr. Gregory: Addressing the same point of order, I think the member opposite has been around long enough. This is not the first time this has happened.

The type of thing we are voting on, the amendments, are such that the minister can address himself to these at a time of his choosing. In all fairness, I do not really think the member for Sudbury East can say that anything the minister says is going to change the minds of the members opposite. I am attempting to find the minister at the present time and I do not know where he is.

Mr. Rae: What you are basically saying is that it does not matter what we do around here.

Hon. Mr. Gregory: I was not addressing myself to the member. I was addressing myself on a point of order. The minister will be addressing—

Mr. Rae: You were saying it does not matter what we do around here.

Hon. Mr. Gregory: I would suggest we carry on, Mr. Chairman.

The Acting Chairman: We have been around the Horn three times on this. Does the member have something new to raise on the point of order?

Mr. Martel: I suggest we not proceed until the minister is back. Maybe the Chairman could indicate to me who is responsible for the carriage of the bill at this time, because the minister is not here and somebody should be here. I am prepared to wait until the minister returns, but I do not think we should proceed until he does return, because there is no one here with respect to this matter. I am prepared to wait until he gets back.

The Acting Chairman: At this point, unless the minister indicates to me right away that he wants to respond to the amendment, as I then would not be able to recognize any other member wishing to participate in the debate, I have no alternative but to put the question on the amendment. If there is no other member wishing to participate—

Mr. Martel: If he is prepared to respond to these issues as we go along—

The Acting Chairman: Why does the member rise?

Mr. Martel: If he is prepared to respond to those issues as we go along—

The Acting Chairman: Order.

Mr. Martel: Why does the Chairman not learn the rules?

The Acting Chairman: I think I understand the rule that the member is allowed to speak when recognized by the chair. I understand that rule very well.

Mr. Martel: What rule?

The Acting Chairman: The rule by which the chair recognizes the next speaker.

Mr. Martel: I rose on a point of privilege.

The Acting Chairman: No, the member did not. He just rose and addressed the minister.

Mr. Martel: I simply wanted to raise the issue—

The Acting Chairman: No. I would ask the member to identify why he is rising.

Mr. Martel: I simply want to raise the matter with the minister to find out if it is his intention to continue with this clause by clause and not respond to any item before we take the vote.

The Acting Chairman: Does the minister intend to respond in the debate at this time?

Hon. Mr. Ramsay: Not at this time, Mr. Chairman, but I will have some comments to make later on. As for my absence, I would hope there are still procedures left in this chamber that one can go to the washroom occasionally.

The Acting Chairman: All those in favour of Mr. Nixon's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

The Acting Chairman: Are there other amendments to the bill?

Mr. Nixon: I was doing a little quick calculation and the amendment we stacked a moment ago actually calls for an increase of 38 per cent.

9:30 p.m.

On section 3:

The Deputy Chairman: Mr. Nixon moves that subsection 42(7) of the act as set out in subsection 3(3) of the bill be amended by striking out "five per cent" and substituting "10 per cent."

Mr. Lupusella moves that Mr. Nixon's amendment to subsection 42(7) of the act as set out in

subsection 3(3) of the bill be further amended by striking out "10 percent" and substituting "15 per cent."

Mr. Lupusella: Mr. Chairman, I would like to speak on the principle of this amendment to the amendment of the Liberal Party. As I stated before, the 15 per cent is justified and the accusations from certain members of the Liberal Party were completely unfounded.

Members of the Legislature, including members of the Liberal Party, must have witnessed our consistent position on the 15 per cent increase since last December. We are not playing games with an important issue that affects injured workers and their level of benefits. We are persisting in this because we believe injured workers have really lost purchasing power as a result of the cost-of-living increase.

As I stated before, and I will repeat, 15 per cent does not even take into consideration the loss in purchasing power of the pensions and benefits they receive from the board. I think certain positions, in particular the one taken by the member for Essex South (Mr. Mancini), were completely unfounded. We have been consistent and I draw this to his attention because perhaps he forgot about it.

Around December 1982 when we dealt with the previous increases, the Liberal Party actually supported our amendment and it was based on a 15 per cent increase. So the change in position is by the Liberals and not us. We had taken the position that 15 per cent was the right increase and the government should have introduced it in the first place.

The minister has taken the position not to respond to the amendments moved by members of each party. I want to draw to his attention that he did not even respond to the general comments made by both opposition parties on second reading of the bill. The minister had an obligation to respond to all the allegations made on this side of the House. They concerned all the problems injured workers have been going through as a result of the act and the five per cent increase which is completely inadequate.

I hope the minister will remember each comment and criticism we raised and find the time to go through them and comment on the overall situation under which the Workers' Compensation Board is operating, the Workers' Compensation Act which the board is applying on a daily basis and the problems of injured workers who have to use the board's services.

I hope the minister will give us an indication now that the government is going to move on

the new changes and that they will take place in the near future. I hope that it will not be December before a reasonable debate will take place in this Legislature in relation to the benefits.

We are talking about benefits, and when I am talking about benefits, of course, it is implicit I am not talking about a 10 per cent increase but about the 15 per cent increase suggested by the New Democratic Party. We suggested it around Christmas of last year and it was supported by the Liberal Party.

As is usual in this Legislature, we have witnessed different positions taken by the Liberal Party through the years, especially since 1975 when its positions have changed from one to another. I do not think those members have any right to interject and give us some sort of political warning that we are the ones playing games with injured workers' lives.

We are extremely concerned. We always understand the kind of criticism raised by different members in this House about injured workers, but I do not think the NDP deserves the kind of criticism which has been raised by certain members of the Liberal Party.

Mr. Di Santo: I will be brief. This is the one section of the bill that makes me extremely upset. I want to ask the minister if for once he will answer the concerns of the opposition; if he will think about the purpose served by this section of the bill, in view of the fact, from the figures given to members by the Workers' Compensation Board at the resources development committee, that there is virtually no worker who will benefit from total temporary benefits, who has been receiving benefits for the last 48 months or four years.

If the minister has in mind someone who has been receiving benefits for 48 months, then he should stand up and say the name and claim number, because it will be the only example in the province. This is the type of preposterous amendment the minister is inviting us to vote on. To me that means this government is squeezing the injured workers to the point that all kinds of injured workers who are receiving temporary benefits are being eliminated by this bill. I would like him to answer my question, because he has a moral responsibility and cannot avoid it.

The Deputy Chairman: All those in favour of

Mr. Lupusella's amendment to the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

On section 4:

The Deputy Chairman: Mr. Ruston moves that subsection 43(8) of the act as set out in section 4 of the bill be amended by striking out "five per cent" and substituting therefor "10 per cent."

9:40 p.m.

Mr. Lupusella moves that Mr. Ruston's amendment to subsection 43(8) of the act as set out in section 4 of the bill be further amended by striking out "10 per cent" and substituting "15 per cent".

Mr. Lupusella: Mr. Chairman, I think this amendment is very important because it affects a large number of people, and I am sure the Minister of Labour is aware of it. The minister's amendment takes into consideration that the amount tabled under this section "... shall be increased if the injury occurred on or before the 30th day of June, 1983, by adding thereto a factor of five per cent effective the 1st day of July, 1983, but the amounts of compensation to which a worker is entitled shall not exceed the like proportion of 75 per cent of the rate of average earnings computed under subsection 45(1) effective on the 1st day of July, 1983, for amounts accruing on and after the 1st day of July, 1983, but this subsection does not apply to a lump sum award previously made by the board under this part, including an award that was previously commuted or paid as a lump sum under subsection 4, an award under subsection 6 or an award under clause 44(b)."

I think we are faced with a serious problem. I do not think it is new in this Legislature. The minister in previous amendments took the position or moved towards the position not to have amendments that increased any lump sum which the board had to pay to injured workers when their pensions had been commuted.

The present policy of the board is that for all injured workers who are faced with a permanent disability in the range of one per cent to 10 per cent the board may decide to commute that pension under a form of lump sum. The government has taken the position that for all injured workers affected by a disability of one to 10 per cent their pensions have been commuted and they are not entitled to the increase.

We made our position clear before. We are

disputing two principles in that section. One is the principle of five per cent, for which 15 per cent should be substituted. We would also like to bring to the attention of the minister and the government that a wrong policy decision was taken by the board in 1975 when increases were introduced in the Legislature. The government took the position not to give increases to lump sum pensions for injured workers which were commuted if they were faced with a permanent disability in the range of one to 10 per cent.

There is no description in the Workers' Compensation Board Act which says the one and 10 per cent disability award should be commuted. It is a policy taken by the corporate board which interpreted that section of the WCB Act. For thousands of injured workers, as a result of that policy implemented by the board, the government took the decision not to give increases for all the pensions which had been commuted. I think the government is wrong and the Minister of Labour is wrong to penalize all injured workers who have been faced with permanent disability and whose pensions have been commuted. I hope he will pursue this principle with the corporate board in order that it will reverse its decision.

The minister is not supposed to make a change in the act to take into consideration all the lump sums that have been commuted by the board. It is just convincing the board that it has taken the wrong approach and the injured workers affected by this policy should not be penalized. I hope the minister will convey the message to the board and the board will reverse its decision by increasing by 15 per cent all the pensions and benefits of pensions that have been commuted from the lump sum.

The Deputy Chairman: We are considering Mr. Lupusella's amendment increasing from 10 per cent to 15 per cent.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

On section 5:

The Deputy Chairman: Mr. Ruston moves that subclause 44(a)(i) of the act as set out in subsection 5(1) of the bill be amended by striking out "\$179" and substituting "\$188;" subclause 44(a)(ii) by striking out "\$179" and substituting "\$188;" and subclause 44(b)(i) by striking out "\$786" and substituting "\$824."

Mr. Lupusella: Mr. Chairman, I have an amendment to the Liberal amendment.

The Deputy Chairman: Mr. Lupusella moves that Mr. Ruston's amendment to subclause 44(a)(i) of the act as set out in subsection 5(1) of the bill be further amended by striking out "\$188" and substituting "\$196;" subclause 44(a)(ii) by striking out "\$188" and substituting "\$196;" and subclause 44(b)(i) by striking out "\$824" and substituting "\$861."

Mr. Lupusella: I think we in this party stated our position in relation to all sorts of levels of benefits on which injured workers are affected by Bill 66.

Along with the other sections, Mr. Chairman, in section 44 of the act we are dealing with the people who are affected by a temporary total disability. The NDP position to amend the Liberal amendment to 15 per cent has actually taken into consideration all the problems injured workers are affected by, in particular those affected by a permanent total disability which has been increased by this bill to \$786 a month from July 1, 1983. It also deals with the permanent partial disability which is an amount proportionate to that mentioned in subclause 44(b)(i) in accordance with the impairment of earning capacity and so on.

We are talking about a serious problem affecting people who have a permanent total disability and we are dealing with injured workers affected by a permanent partial disability.

9:50 p.m.

When I read Bill 66 I realized the five per cent increase is really a slap in the face to those injured workers who suffer most from the present system. These are the cases where people are permanently and totally disabled. The government in its generosity gives them a five per cent increase when they have been suffering since the day they had an accident. That accident was the cause of their permanent total disability award.

That is not the way the government should recognize the economic contribution of those injured workers. They have suffered a loss of income as a result of their injuries. They have suffered physical disability, pain and psychological harm as well as the social consequences related to the accident itself. The government and the minister do not really appreciate the contribution injured workers made to our society when they were healthy. In return the minister decides to give them a five per cent increase.

We are not talking about doubtful claims; we are talking about clearcut cases of permanent

total disability and of people who are permanently partially disabled. These are cases where a clearcut medical opinion has been expressed and where the board does not have any doubt about the degree of disability. It is there to be seen and there are also all the psychological implications related to the accident. The government and the Minister of Labour have an obligation to take into consideration the amount of money that should be properly given to injured workers to compensate them for the psychological implications and the degree of disability. The right amount of money should then be established by the board.

This section and the five per cent increase are very offensive to disabled workers, especially those who are suffering most as a result of their accidents. I hope the minister will be more generous and will be able to convince his colleagues that 15 per cent is more reasonable than the 10 per cent increase suggested by the Liberals.

Mr. Di Santo: I will be very brief. This is a very important amendment. When the minister introduced the bill he did not explain the rationale for the five per cent. Now we are faced with an amendment that gives people with total disability \$786 a month. The minister does not even dare to tell us on what he bases that amount of money. Is it related to what a totally disabled person needs to survive, to the wage he was making with the increased cost of living built in, or is it an abstract figure worked out by his ministry? The people who are receiving \$786 are entitled to an explanation.

The minister thinks he can sit mum while we go through all the amendments. Then, with the government's 70 votes, he will impose his bill on us. He thinks that is justice; that it is rational; that it is human. He cannot sit there. He must answer. It is his responsibility.

The Deputy Chairman: All those in favour of Mr. Lupusella's amendment to the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

The Deputy Chairman: Mr. Lupusella moves that section 5 of the bill be amended by adding thereto the following subsection:

(3) Section 44 of the said act is further amended by adding thereto the following:

The amounts payable as compensation under this part shall be adjusted on the 1st day of January and the 1st day of July in each year by a

percentage amount equal to the percentage increase in the average industrial wage for Ontario during the preceding six-month period as indicated by the industrial composite average weekly wages and salaries for Ontario, published by Statistics Canada, and the initial adjustments shall reflect the percentage increase in the average industrial wage since 1st day of July, 1983.

Mr. Lupusella: Mr. Chairman, when we rush legislation we are also rushed to make rational comments on each amendment. We have been forced into this situation by the government and the Minister of Labour even though they were warned last December they were not supposed to do that in future legislation.

I would like to tell the minister that we introduced the same type of section in December 1982 and the government decided to defeat our section.

Just for your benefit, Mr. Chairman, because I know you are paying so much attention to the contents of each section, we are talking about indexing benefits of injured workers. This principle should be incorporated in the act. It has been demanded by several groups across the province, in particular by the Union of Injured Workers since its inception, which goes back to 1972 or 1973. Such principles should now be incorporated into the act in order that twice a year such an increase will take place automatically and we would not have to wait or expect the charity of a five per cent increase by the government.

I would like to bring to members' attention, and to that of the Minister of Labour in particular, the fact that the indexing of benefits is not something new across Canada which has been demanded in Ontario. It goes back to 1965, when British Columbia was the pioneer of workers' compensation benefits being tied to the consumer price index. In the British Columbia system, there are many variations to the principle we are suggesting here in Ontario, variations on the basic system. The maximum earnings covered are tied to a variety of indexes in various jurisdictions.

In BC, some benefits are automatically escalated twice annually and some provinces, such as Ontario, adjust benefits as we have seen in the past few years on the whim of the government, on an ad hoc basis, to increase ongoing pensions for the disabled and dependants using factors related to changes in living costs.

Here we are using the principle of the average

industrial wage, which should be the main indicator to calculate the increases in benefit levels. I am sure the minister is aware, when we talk about the average industrial wage, we mean the so-called unionized workers who constitute 35 per cent of the total labour force—no one else.

10 p.m.

We are not taking into consideration the majority of workers who do not have a union—those who work for the minimum and so on. Although we are going to incorporate this principle in the Workers' Compensation Act, I want to remind the minister the majority of workers across Ontario will not be greatly affected by such an indicator. At any rate, we want the government to incorporate this principle into the act by accepting our amendment. It is a fair principle to bring to the level of benefits.

The Deputy Chairman: All those in favour of Mr. Lupusella's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

On section 6:

The Deputy Chairman: Mr. Ruston moves that subsection 45(1) of the act as set out in subsection 6(1) of the bill be amended by striking out "\$25,500" and substituting therefor "\$26,800."

Mr. Lupusella moves that the amendment to subsection 45(1) of the act as set out in subsection 6(1) of the bill be amended by striking out "\$26,800" and substituting "\$27,900."

Mr. Lupusella: Again, Mr. Chairman, I think our amendment is not unreasonable. It takes into consideration the average industrial wage in Ontario. I think our figure reflects more fairly the needs of workers across Ontario.

I do not want to repeat it again but the majority of workers are completely excluded, in particular those who are working for the minimum wage. They are bound to the minimum benefits levels set up by the minister and the government. Of course, the Workers' Compensation Board follows suit with what is established in this Legislature.

It is the prerogative of the minister's party to defeat our amendment, but what they are doing tonight is a disservice to the workers of the province. We faced the same situation in December 1982 and they want to take the same position they did then. They are making a political

decision; they have made the same political decision about workers' benefits in the past and they persist in their wrongdoing.

The New Democratic Party views injured workers' benefits as a serious matter. We have been debating the same principles through the years and we think the government is completely wrong, especially when at the end of this evening its members will stand up to defeat our amendment.

Mr. Di Santo: Mr. Chairman, since the minister persists in his silence I would like to ask him a question. Can the minister tell us how many workers at Algoma Steel will be cut off by this amendment? How many of them will be penalized because of the ceiling he is imposing on compensation?

Mr. Chairman: All those in favour of Mr. Lupusella's amendment to the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

On section 7:

Mr. Chairman: Mr. Ruston moves that clause 52(3)(b) as set out in clause 7(1) of the bill be amended by striking out "\$332" and "\$166" and substituting, respectively, "\$348" and "\$174."

Mr. Lupusella moves that the amendment to clause 52(3)(b) of the act as set out in clause 7(1) of the bill be amended by striking out "\$348" and "\$174" and substituting, respectively, "\$364" and "\$182."

Mr. Lupusella: If I may speak to the amendment to the amendment, I would like to state that, at the moment, clause 52(3)(b) of the act entitles any person to claim additional payment for any period before July 1, 1983. I hope the minister will clarify what he means, because each time legislation is enacted by the province, of course, compensation boards will interpret the legislation. They set up their own policy and, especially when there is something which is doubtful, take a position to set up a series of policies which will take into consideration the doubts that might emerge from any legislation.

It was my understanding that any particular increase which took place in the previous years had considered claims which went back to 1915. I would like to make particular reference to the amendments introduced in July 1975, in which all claims of injured workers across Ontario, going back to 1915, were affected by the increase.

As I stated, maybe it was a generous move in

1975, taking into consideration certain needs of injured workers, but they have not seen increases since 1974 and I can see, from my figures here, that between July 1, 1974, and July 1, 1975, the increase was not so great. I make particular reference to the ceiling between 1974 and 1975; the increase was just based on \$3,000.

At any rate, I hope the minister will make clear to the members of this Legislature that, like the amendments which were introduced in 1975, all claims going back to 1915 will be affected. I hope he will clarify the situation and that all the claims, even the old ones, will be affected, without exclusion, even though the minister decided to exclude the lump sum awards and those previously commuted by a decision of the board, ranging from one to 10 per cent. They are completely excluded by these changes.

I hope the minister will clarify the situation and that all the claims are affected by the increase.

10:10 p.m.

Mr. Chairman: All those in favour of Mr. Lupusella's amendment to the amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

Mr. Chairman: It is my understanding that the amendment is also stacked.

Shall sections 8 and 9 carry?

Mr. Lupusella: On a point of order, Mr. Chairman: Members have raised the point that the minister should at least reply to the principles inherent in the amendments of the two opposition parties. It is time he made his position clear about the serious questions which have been raised as a result of the inefficient legislation he is introducing in Bill 66.

What is the minister going to do, for example, about the lump sums?

Mr. Chairman: Before the minister responds, do we have agreement that sections 8 and 9 carry without debate?

Interjection.

Mr. Chairman: No? Shall section 8 of the bill carry?

Mr. McClellan: Let the minister speak.

Mr. Chairman: I think the minister has indicated he will. You are the ones who brought forward whether we should pass sections 8 and 9.

Section 8 agreed to.

On section 9:

Mr. Rae: Mr. Chairman, before the debate comes to a close I want, in a personal way, to pay tribute to our critic, the member for Dovercourt (Mr. Lupusella).

It was nearly 10 years ago that the member for Dovercourt and I first met when he was a community worker at the Union of Injured Workers and I was a lowly law student. I want simply to pay tribute to the extraordinary dedication and personal courage he has shown in the last few years in his struggle to improve the conditions of life for literally thousands of our fellow citizens in Ontario.

I think he has done a marvellous job. I simply want to put that on the record and indicate how much we in this party appreciate the dedication and courage he has shown in this fight, as in his other work, on behalf of injured workers.

Mr. Ruston: Mr. Chairman, I want to take this opportunity to thank our Labour critic, the member for Windsor-Sandwich (Mr. Wrye), to whom I gave permission to be back in his riding tonight for a very important function. He has been working very hard on this bill and on the Weiler report meetings. I want to congratulate him on the excellent amendments he had prepared which I only read on his behalf.

The Deputy Chairman: Still speaking to section 9, the honourable minister.

Hon. Mr. Ramsay: Mr. Chairman, the leader of the third party pre-empted my opening remark and that was to repeat what I had said during a similar type of debate last Christmas when I paid tribute to the member for Dovercourt and the member for Downsview (Mr. Di Santo) for what I believe is very serious dedication towards the cause of the injured workers. And I repeat that. Because of the dedication of these two members, which I recognize and which I acknowledge, I came into this Legislature this evening prepared to answer all questions that were put to me. I was determined that I was not going to let myself be provoked by the pious rhetoric that I have had to listen to over the past few days.

I made copious notes this evening and was fully prepared to try to answer all the questions that were asked of me. However, I am reluctant to do so—in fact, I am not going to do so—simply because of the manner in which these same two honourable gentlemen, who I respect for what they are and what they do, posed those ques-

tions this evening and the rude and arrogant manner in which they constantly asked me to get on my feet when I had indicated earlier in the evening that I was fully prepared to answer the questions at the end of this session. They would not wait until the end of this session.

Mr. Chairman: It is my understanding that, by agreement, we are to call the votes at 10:15. It is after 10:15, even by our digital clock.

Mr. Lupusella: Mr. Chairman, on a point of order: First of all, I would like to bring to the attention of the Legislature that I was not rude in asking questions of the minister. I think there are serious implications which will derive from Bill 66. During the course of my speech, I complimented the Minister of Labour by saying that in some ways he is compassionate to the needs of injured workers. He says I have been cruel tonight, but he is cruel towards the needs of injured workers, because he does not want to show the sort of leadership and responsibility that is required by a minister of the crown.

Mr. Chairman: We are dealing with section 9 of Bill 66.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Section 9 agreed to.

Mr. Chairman: It is my understanding that there is a 10-minute bell.

10:25 p.m.

HEALTH FACILITIES SPECIAL ORDERS ACT

The committee divided on Ms. Copps's amendment to clause 3(1)(a) of Bill 64, An Act respecting certain Health Facilities, which was negatived on the following vote:

Ayes 44; nays 63.

Section 3, as amended, agreed to.

Bill ordered to be reported.

10:30 p.m.

WORKERS' COMPENSATION AMENDMENT ACT

The committee divided on Mr. Lupusella's amendment to the amendment to subsection 1(1) of Bill 66, An Act to amend the Workers' Compensation Act, which was negatived on the following vote:

Ayes 20; nays 87.

The committee divided on Mr. Nixon's amend-

ment to subsection 1(1), which was negated on the following vote:

Ayes 44; nays 63.

Section 1 agreed to.

The committee divided on Mr. Nixon's amendment to subsection 2(1), which was negated on the following vote:

Ayes 44; nays 63.

Section 2 agreed to.

The committee divided on Mr. Lupusella's amendment to the amendment to subsection 3(3), which was negated on the following vote:
Ayes 20; nays 87.

The committee divided on Mr. Nixon's amendment to subsection 3(3), which was negated on the following vote:

Ayes 44; nays 63.

Section 3 agreed to.

The committee divided on Mr. Lupusella's amendment to the amendment to section 4, which was negated on the following vote.

Ayes 20; nays 87.

The committee divided on Mr. Ruston's amendment to section 4, which was negated on the following vote: Ayes 44; nays 63.

Section 4 agreed to.

The committee divided on Mr. Lupusella's amendment to the amendment to subsection 5(1), which was negated on the following vote:

Ayes 44; nays 63.

The committee divided on Mr. Ruston's amendment to subsection 5(1), which was negated on the same vote.

The committee divided on Mr. Lupusella's amendment to section 5, which was negated on the following vote:

Ayes 44; nays 63.

Section 5 agreed to.

The committee divided on Mr. Lupusella's amendment to the amendment to subsection 6(1) on the following vote:

Ayes 20; nays 87.

The committee divided on Mr. Ruston's amendment to subsection 6(1) which was negated on the following vote:

Ayes 44; nays 63.

Section 6 agreed to.

The committee divided on Mr. Lupusella's amendment to the amendment to clause 7(1)(b) which was negated on the following vote:

Ayes 20; nays 87.

The committee divided on Mr. Ruston's amendment to clause 7(1)(b), which was negated on the following vote:

Ayes 44; nays 63.

Section 7 agreed to.

Bill ordered to be reported.

On motion by Hon. Mr. Wells, the committee of the whole House reported one bill with certain amendments and one bill without amendment.

10:40 p.m.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Just before the adjournment, I should indicate the business of the House for tomorrow.

We will begin with third readings of any bills on tomorrow's order paper for third reading, followed by second and third readings of the private bills on the order paper. We will then move to Bill 65, the Public Service Superannuation Amendment Act, Bill 73, Bill 62 and Bill 40.

The House adjourned at 10:41 p.m.

CONTENTS

Monday, June 20, 1983

Committee of the whole House

Workers' Compensation Amendment Act , Bill 66, Mr. Ramsay, Mr. Nixon, Mr. Lupusella, Mr. Kerrio, Mr. Di Santo, Mr. Mancini, Mr. Martel, Mr. Swart, Mr. McClellan, reported	1863
Health Facilities Special Orders Act , Bill 64, Mr. Grossman, reported.	1881

Other business

Business of the House , Mr. Wells.	1882
Adjournment	1882

SPEAKERS IN THIS ISSUE

Boudria, D. (Prescott-Russell L)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
 Cureatz, S. L., Deputy Speaker and Chairman (Durham East PC)
 Di Santo, O. (Downsview NDP)
 Gregory, Hon. M. E. C., Minister without Portfolio (Mississauga East PC)
 Kerrio, V. G. (Niagara Falls L)
 Lane, J. G. (Algoma-Manitoulin PC)
 Lupusella, A. (Dovercourt NDP)
 Mancini, R. (Essex South L)
 Martel, E. W. (Sudbury East NDP)
 McClellan, R. A. (Bellwoods NDP)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Philip, E. T. (Etobicoke NDP)
 Rae, R. K. (York South NDP)
 Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
 Robinson, A. M., Acting Chairman (Scarborough-Ellesmere PC)
 Ruston, R. F. (Essex North L)
 Stokes, J. E. (Lake Nipigon NDP)
 Swart, M. L. (Welland-Thorold NDP)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Tuesday, June 21, 1983

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, June 21, 1983

The House met at 2 p.m.

Prayers.

ONTARIO APPLES

Mr. McKessock: I rise to inform the House that the apples on members' desks are courtesy of Georgian Triangle Apples Ltd., packers in the Georgian Bay area. There are some McIntosh and some Delicious apples.

I brought these apples down to present at the estimates of the Ministry of Agriculture and Food tomorrow, but in view of the fact there are some rumours we may not be here tomorrow, I decided to present them today. If there are not enough to go around, please share them.

These apples are from controlled atmosphere storage which allows us to have apples all year round, thereby reducing the need for imports.

[Later]

Mr. Speaker: On behalf of all members of the Legislature I would like to thank the member for Grey (Mr. McKessock) for his thoughtfulness on such a hot afternoon in supplying us with cool, crisp Ontario apples.

Mr. Rae: Can we eat them now?

Mr. Speaker: Not in the House. Sorry about that.

Mr. Nixon: We need special dispensation.

Mr. Speaker: Perhaps if they leave the lights on long enough.

ESTIMATES

Hon. Mr. McCague: Mr. Speaker, I have a message from the Honourable the Lieutenant Governor signed by his own hand.

Mr. Speaker: The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending March 31, 1984, and recommends them to the Legislative Assembly, signed in his own hand, Toronto, June 21, 1983.

MEMBER'S STATUS

Mr. Cousens: Mr. Speaker, on a point of personal privilege: As the member for York Centre, representing the very important towns of Richmond Hill, Markham and part of Vaughan,

I am pleased to be part of Queen's Park.

My constituents and many members in this House may wonder if I have other aspirations. I would like to make it very clear to you, Mr. Speaker, and to all the people of this House and this province that it is not the Don Cousens, MPP, member for York Centre, who is running in Willowdale. I have no intention of running for federal office. I hope to run again and be here for many years to continue serving in this government.

Mr. Speaker: I am certainly assured to hear that.

REPLY FROM MINISTER

Mr. Wildman: Mr. Speaker, on a point of personal privilege: It is my understanding that the successful functioning of our representative form of democratic government is predicated on individual elected members of the Legislature raising questions of urgent public importance for their constituents and for the people in this province, and the ministers of the crown responding to these questions with answers in the chamber as well as remedial actions, where necessary, outside this House. That is why this institution is called a parliament.

The members of this party have been carrying out our responsibility of raising questions with the Minister of Labour (Mr. Ramsay) regarding health and safety in the work place throughout this session. In all cases the Minister of Labour has stated that he is looking into the particular issue, investigating it or reviewing it, or that he will report back, but the minister has yet to report back on any of these issues in this House this session.

Mr. Speaker, I ask you to investigate this matter to determine if the minister is deliberately stonewalling on health and safety issues, and if so, is he making a sham of the parliamentary process?

Mr. Speaker: I am sure the minister will take notice of your remarks and will respond accordingly.

INELIGIBILITY OF BILL

Mr. Speaker: Yesterday afternoon the member for Sudbury East (Mr. Martel) introduced a

bill entitled An Act respecting Insured Services under the Ontario Health Insurance Plan. On careful examination I find the principle of the bill introduced yesterday to be the same as that of the one introduced by the member on May 17, 1979, and subsequently ruled out of order by Mr. Speaker Stokes. His reasons at that time were that the bill would increase the services under OHIP and must of necessity increase the expenditure of public funds under the plan.

I totally concur in that ruling and find that the bill, being a money bill, can be introduced only by a minister of the crown supported by a message from the Honourable the Lieutenant Governor. I therefore rule that the bill is out of order and must be omitted from the order paper.

Mr. Martel: Might I ask Mr. Speaker a question?

Mr. Speaker: No.

Mr. Martel: One simple question.

Mr. Speaker: No.

Mr. Martel: What? On a point of order, then.

Mr. Speaker: No. There is nothing out of order.

Mr. Martel: Yes, there is.

Mr. Speaker: No, there is not.

Mr. Martel: Mr. Speaker, can you tell me why you allowed this bill to be introduced last year and you are saying no this year? There should be consistency from this one Speaker. You cannot rule it out of order this year, having not ruled it out of order last year.

Mr. Speaker: Oh yes, but I can and I did. Just because you slipped it by last year does not necessarily mean you are going to slip it by again.

Mr. Martel: Why don't you let it get by you this year, as you did last year?

Mr. Speaker: I guess I am just more vigilant this year.

Mr. Martel: That is awful, you know. You missed it last year; why don't you just forget about it this year?

Mr. Speaker: I cannot; I have noticed it already.

Mr. Martel: It is to protect women in this province that I introduced that particular piece of legislation, and the government of Ontario should look at that bill.

Mr. Speaker: Undoubtedly they will.

Mr. Martel: No, they will not.

Mr. Speaker: You have already introduced it. Order.

[Later]

Mr. Speaker: I am not sure that this is in order—

Mr. Kerrio: Do it anyway.

Mr. Speaker: I am going to.

An hon. member: Anything goes.

Mr. Speaker: No, no. I just want to correct a statement I made. I do not want it to be misinterpreted. I would ask the member for Sudbury East (Mr. Martel) to pay attention. I agreed tacitly when he said he had introduced a bill last year. In the intervening period, my staff has done considerable research and finds that no such bill was introduced.

Mr. Martel: It must have been the year before.

Mr. Speaker: It was, indeed.

STATEMENTS BY THE MINISTRY

POLLUTION ABATEMENT EQUIPMENT

Hon. Mr. Norton: Mr. Speaker, in keeping with the tone of this afternoon's proceedings, I have for the benefit of the honourable members a cool, crisp statement.

2:10 p.m.

The speech from the throne indicated the government's intention to support efforts by the private sector to pursue export markets for pollution control equipment and services. Today I wish to enlarge on that commitment, and to outline briefly for honourable members how the Ministry of the Environment intends to assist the private sector in its export of Ontario's wide range of advanced environmental technology and expertise.

There are three basic reasons for my ministry's active role in this important export initiative.

First, the world market for pollution abatement equipment and environment-related services is already large, and it is growing as all nations show increased concern for environmental protection and improvement.

Second, Ontario has nurtured a growing manufacturing industry for the supply of abatement equipment and an increasing body of expertise in environmental engineering and planning services. The Ontario market is approximately \$160 million, not including consulting engineering.

Third, it is an area in which the basis for co-operation between the public and private

sectors is already well established. The public sector, at home and abroad, is a major buyer of pollution control equipment and services from the private sector.

I am advised that in 1981 alone, the latest year for which figures are available, here in Ontario a total of approximately 22,000 jobs was generated in the design and engineering, construction and installation, and manufacturing of air- and water-related pollution control equipment. Annual export sales of Ontario-produced equipment for these sectors are in excess of \$10 million. These figures do not include solid waste systems and instrumentation.

We estimate that nearly 85 per cent of Canada's pollution control equipment and service industry is based at present in Ontario. This development of a manufacturing base, supported by many design and engineering firms, has been largely stimulated by the high priority the Ontario government has placed on environmental protection, and the government's demand for equipment and services.

Clearly we now need to provide all the assistance we can to encourage and support the efforts of private companies to expand into new export markets. We can take advantage of the opportunity to create new long-term jobs and new sources of income for our people. In delivering its programs and services to the public, my ministry has encouraged the development of new technology and the application of more sophisticated equipment of many kinds.

These include advanced analytical equipment for our laboratories, new monitoring equipment and models for our air quality programs, a wide range of research into hazardous contaminants, the development of new waste treatment technology, and a world training and certification program for treatment plant operators.

We have put together an initial inventory of several potential areas of assistance and advice that the ministry can provide to private companies. I would stress that the provision of assistance and advice will be our main thrust rather than direct marketing activities by the ministry.

Interjection.

Mr. Speaker: Order, please. That is great. Thank you very much.

Mr. Roy: Try to make it a bit more crisp.

Hon. Mr. Norton: It is very crisp.

As part of our preliminary analysis, potential export markets were also examined. While the world market for abatement equipment is large, much of it is concentrated in Europe and the

Mediterranean basin, and Canada already has well-established trade links with these regions.

I propose to support the marketing efforts of private companies through the services of the Ontario International Corp. The corporation will be my ministry's sole marketing agent to deal with the private sector, the federal government and export markets. The OIC, therefore, will provide a single window for prospective exporters who may want access to our pool of skilled engineering, operating experience and scientific knowledge.

In order to ensure efficient liaison with the OIC and the necessary staff support, I am proposing to transfer one full-time professional staff person to the corporation. I shall also provide some funding for market studies to guide our industry and the OIC in developing export market strategies for pollution equipment and services.

Over the longer term, the ministry will be exploring with other ministries the potential for encouraging research and development of abatement equipment by both private and public sectors. I am convinced we can use the skills and experience of both sectors to develop new products for the growing world market. This will have a beneficial impact on employment opportunities for more Ontarians.

I plan to proceed immediately with the implementation of this program. With the Ontario International Corp., we have already established contact with some of the larger private firms to explain our approach. We expect to hold more meetings within the next few weeks. I look forward to the realization of significant economic and social benefits from our collaboration with the corporation in expanding growth opportunities for the Ontario pollution control industry.

LIBRARY PROGRAM INITIATIVES

Hon. Mr. McCaffrey: As all members are aware, the Ministry of Citizenship and Culture has been undertaking a review of the Public Libraries Act. This review has produced, most recently, the policy document, *A Foundation for the Future*.

I would like to take this opportunity to thank the many people who participated in the Ontario public libraries program review. The contributions of all these dedicated individuals will continue to assist the government in developing programs and policies for many years to come.

As a policy paper, *A Foundation for the Future* developed broad guidelines and addressed

the major policy issues in the libraries field. Later this fall, I intend to bring to this House revisions to the Public Libraries Act which will address the various policy issues defined during that review.

Today, I would like to outline for the Legislature the first of a number of specific program initiatives my ministry will be undertaking designed to meet the needs of our francophone communities. I will be indicating other major initiatives in the very near future.

One of the revisions to the Public Libraries Act which I will be proposing later this fall will be a commitment to promoting the right of equal access to library services by the francophone population of our province. An example of this will be a legislative guarantee of francophone representation on the Ontario Provincial Library Council.

To assist in meeting this goal of equal access, a French-language library co-ordinator will join the libraries and community information branch of my ministry to work with the local libraries to improve French-language library services. This co-ordinator will work closely with French-language library consultants at the regional library system level.

In addition, funding will be made available to assist local libraries in acquiring French-language materials.

My ministry will also be working with the Ontario Library Association to examine various issues relating to the library profession. A primary concern, expressed by the English and francophone library communities, is the need for training and development programs for librarians, trustees and library technicians.

As many members realize, we are entering our second 100 years of public library service in Ontario. It can give us all a great deal of satisfaction to know that we are building a firm foundation for the future based on the insight and knowledge of many people who have contributed to the consultation process. The hard work of these dedicated volunteers, both professionals and nonprofessionals, was indispensable to the public libraries review.

Mr. T. P. Reid: On a point of order, Mr. Speaker: I heard there was going to be a cabinet shuffle this summer, but this is getting ridiculous.

Hon. Mr. Davis: The only thing that is ridiculous to the member for Rainy River is that he is not one of those being considered.

Mr. T. P. Reid: I thought I was on a short list.

Hon. Mr. Davis: He is certainly on a short list. Interjections.

DOMED STADIUM

Hon. Mr. Davis: Mr. Speaker, I have a brief statement on a matter of some interest to cultural enthusiasts across the province. Over the recent weeks and months there has been considerable discussion and resulting public interest in the prospects for a new sports stadium to serve the people of Ontario.

Most of that discussion to date has concentrated on the notion of an enclosed or domed stadium and, because of the population base needed to sustain the operation of such a facility, it has been assumed that it would be located in or near the Metropolitan Toronto region. Contributing to this discussion, a number of—

2:20 p.m.

Mr. Stokes: The government has the Natural Resources Centre in the south; why does it not put the domed stadium in the north?

Hon. Mr. Davis: I would say to the honourable member there is one geographical location that gets priority over his riding and that is mine.

Mr. Breithaupt: Brampton is close.

Hon. Mr. Davis: Brampton is close, there is no question about it. There is a little site about two miles east of town.

Mr. Speaker: Order.

Hon. Mr. Davis: Contributing to this discussion, a number of specific plans and proposals have been put forward.

Within the next few weeks, I understand, a comprehensive report—I want to emphasize this, Mr. Speaker—on the Canadian National Exhibition will be released publicly. That report will include comprehensive recommendations related to a domed stadium, which were developed in conjunction with the plans suggested for the CNE. I did not want anyone in the public to think that report will necessarily solve the problem. That will be coming out about mid-July.

After a number of discussions with the people knowledgeable about this matter, including the chairman of Metropolitan Toronto and friends in Ottawa, I have come to the conclusion that if we are to look in a serious way at the possibility of undertaking construction of such a facility, and if we are to arrive at a reasonable, rational decision in regard to the issue, public discussion requires a degree of focus which is currently lacking.

For this reason, I have decided to appoint a three-man study group to examine various mat-

ters related to a possible domed stadium for the province. In specific terms, although we are very cautiously conservative over here, this group is also progressive.

This group will be asked to consider any and all proposals that have been developed to date, and there have been several; those that may come forward in the near future, and I know of one; and any other reasonable possibilities; and to offer suggestions and recommendations in regard to such matters as:

(1) the potential uses for such a stadium; (2) the most appropriate site; (3) the infrastructure requirements, including those to deal adequately with questions of traffic; (4) the cost of such a facility and related infrastructure; (5) the financial requirements of ongoing operation; (6) the possible methods of funding such an undertaking; and (7) any other matters that seem relevant to the issue, which is really an indication there may be other matters I have not thought of which the committee will be pursuing.

Clearly, the study group will have to make itself available for discussion with any and all proponents, municipal representatives, prospective users and other interested parties, in order to ensure that all ideas and prospects are fully canvassed as a basis for the report it will bring forth.

Finally, I will ask that this report be completed by the fall of this year.

I am pleased to announce the membership of the study group will be as follows:

The chairman will be Mr. Hugh Macaulay, recently retired chairman of Ontario Hydro.

[Applause]

Mr. Speaker: Order.

Hon. Mr. Davis: I thought of the member for Sudbury East (Mr. Martel), but I just did not think his cultural interest lay in this particular direction.

Mr. Martel: I want to run Inco. You can't deliver the promise.

Hon. Mr. Davis: His two fellow members will be—hold your hat—Mr. William Bremner, chairman and chief executive officer, Vickers and Benson Companies Ltd.—and the Liberal leader (Mr. Peterson) might just acquaint the members with the functioning of that particular organization. Where is the applause for Billy?

[Applause]

Hon. Mr. Davis: That is better. He happens to be a very able soul. The members may want to hide it, but I am not reluctant to tell what he does. He runs Vickers and Benson. Vickers and

Benson has been known to write some of the material for the national Liberal Party of Canada.

Mr. Cunningham: Unlike your friends at Camp, they have commercial clients.

Hon. Mr. Davis: Yes, that is right.

The other member will be Mr. Lionel Schipper, president of Schipper Enterprises. Mr. Ray McNeil, executive co-ordinator in my office, will serve as secretary of the study group.

I am convinced the experience, competence and objectivity which these gentlemen bring to this assignment will provide us with sound advice and much relevant information regarding this proposed project. When that advice and information are available, then clearly the political judgement will have to be applied at all three levels of government to determine the relative priority which such a project should have in the total array of requirements facing governments at this time.

I am sure all members of this House will look forward to the working group's report and wish it every success in what will undoubtedly be a most interesting and hopefully worthwhile review.

VISITOR

Hon. Mr. Wells: Mr. Speaker, just before I proceed with the statement I have for today, I thought I should draw to your attention that we have here on an unofficial visit a very distinguished person in your gallery, the former United States Secretary of State, Senator Edmund Muskie.

I might indicate, Mr. Speaker, that he is accompanied by the former federal member for the riding of York-Scarborough, Paul McCrossan.

CANADA DAY

Hon. Mr. Wells: Mr. Speaker, this year is the first time that July 1, this country's 116th birthday, will be officially called Canada Day. Therefore, I would like to highlight at this time for the members of this House the many celebrations that will be held around our province to mark this very important date in our history.

The honourable members are aware there was much debate over the years as we strove to bring home our Constitution. Likewise, there has been a great deal of debate in the past year over the change in name of Canada's official birthday from Dominion Day to Canada Day.

As we celebrate this historic event, it would be fitting for us to remember at this time the significance Dominion Day has had over the years for many Canadians. Like many events in Canada's history, the designation "dominion"

was a compromise. The early Fathers of Confederation rejected their favoured name, Kingdom of Canada, for fear it might offend the republican sentiments of our neighbours to the south. The term "dominion" was chosen by Sir Leonard Tilley and it came, of course, from the Scriptures, Psalm 72, "He shall have dominion from sea to sea."

Although this choice may have been a compromise, it came to symbolize Canada's uniqueness, that of a nation that grew from four original provinces to reach out to both the Atlantic and the Pacific, a nation which prizes tolerance and freedom for all its citizens. The name not only recalls the values of freedom and democracy inherited from Britain, but also the Canadian men and women who so valiantly fought to defend this heritage in two world wars.

But just as we cherish our heritage, so do we have enormous pride in our determination to move forward as an independent country. It is this spirit which has enabled us to grow strong and to prosper as a nation and as a province, and it is in this spirit that we as Canadians last year proclaimed our new Constitution and in that same year chose to rename our national holiday Canada Day.

Along with our maple leaf flag, our national anthem and our new Constitution, Canada Day symbolizes our renewed sense of purpose and confidence in the future of this great country. At the same time, however, we of course cherish our historical links with the crown as a member of the British Commonwealth of Nations.

In recognition of the English, French and multicultural heritage of this province, and in tribute to the tremendous energy and devotion of our people, we will be celebrating Canada Day extensively throughout Ontario this year.

In addition to our traditional picnic here on the lawns of the Legislature at Queen's Park in Toronto, a party which attracts thousands of Ontarians from all walks of life, people can join in celebrations from the traditional Feu de Joie, at Kingston's Old Fort Henry, to the re-enactment of life in Canada 116 years ago, at Upper Canada Village in Morrisburg.

They can attend such events as the Great Rendezvous Pageant in Thunder Bay, which recreates the arrival of fur traders from Montreal to the Athabaskan country for the annual North West Company meeting, an exchange of furs and trade goods at the Lakehead, or they can enjoy fireworks, parades, sporting events and crafts shows in a whole host of cities such as

Belleville, Forest, Grimsby, Guelph, Brantford, Kenora, London, and so on.

M. le Président, ce ne sont que quelques exemples des nombreux événements dans lesquels participeront les citoyens de l'Ontario pour fêter le 116^e anniversaire du Canada le 1 juillet.

Mr. T. P. Reid: Now in French.

Interjections.

Mr. Speaker: Order.

2:30 p.m.

Mr. Martel: How long did you take lessons for that?

Hon. Mr. Wells: I will give the member lessons if he would like.

Mr. Roy: Mr. Speaker, on a point of order: Could I invite the minister to join French classes with John Crosbie this summer?

Hon. Mr. Wells: I already have some good French staff in my office who can assist me.

I invite all honourable members to join in the special celebrations of this first official Canada Day, the 116th birthday of our great country, wherever they may happen to be in Ontario.

GROUP HOME INITIATIVES

Hon. Mrs. Birch: Mr. Speaker, with your permission, I would like to take a few moments to advise the honourable members of several initiatives that have been undertaken recently by my secretariat.

During the 10 years that I have been privileged to serve as Provincial Secretary for Social Development, one of the things that has given me great satisfaction and much hope for the future is a growing public awareness of the fact that, if given the opportunity to live in a residential neighbourhood instead of institutions, thousands of men, women and children with special needs or disabilities can be helped to lead richer and more productive lives.

That awareness is best seen in the many communities whose elected officials and residents have embraced the provincial group homes policy which I first announced in September 1978. At that time, there was only one municipality in Ontario whose bylaws made specific provision for the establishment of group homes in residential neighbourhoods. There were many who doubted that our policy of encouraging but not requiring other municipalities to effect such changes would be successful. But many communities, both large and small, have responded positively to the challenge and a number of others now are in the process of doing so.

A recent government survey reveals that 73 per cent of Ontario municipalities, with a combined population of 6.2 million, permit some or all types of group homes in residential areas.

I am encouraged by this fact but realize, as you do, Mr. Speaker, that a number of smaller Ontario municipalities have yet to address this issue and to make specific provisions for the integration of people with special needs or disabilities into residential neighbourhoods. For this reason, and because we realize that resistance to neighbourhood group homes is frequently founded on myths and misinformation, the secretariat has accelerated its efforts to assist those who are now working, or who wish to work, towards the orderly development and equitable distribution of group homes in Ontario.

The resource manual I am holding, which is being printed for wide distribution to municipalities, service providers, members of the Legislature and other interested groups and individuals, is the most comprehensive document published to date on the subject of group homes.

I believe the manual will fulfil several important needs. It will give municipal officials a clear understanding of the provincial policy, the types of programs that we license or approve, the way in which group homes are established, regulated and assessed, and the most appropriate means of effecting changes in their official plans and zoning bylaws. It will provide service agencies and individual operators with a step-by-step guide to influencing changes in local policies, establishing individual group homes and responding effectively to the legitimate concerns of the community. Last, but not least, it will equip each of its recipients with the ability to answer questions about Ontario group homes policy and practice in a clear and consistent fashion.

Although the manual has already been reviewed and endorsed by a number of responsible agencies and individuals, it is being distributed as a working document, with the expectation that those who use it will provide us with their comments concerning possible improvements or areas in which additional information may be required.

In a related initiative, the secretariat will soon distribute the first issue of a quarterly newsletter, the purpose of which is to foster informed dialogue about group homes and other community living options for people with special needs or disabilities. This newsletter will be of particular interest to group home sponsors.

We have also begun production of a compan-

ion publication to the manual and the newsletter. It is intended to provide members of the general public with an explanation of the provincial policies and clear answers to the most frequently asked questions about group homes, the types of people they serve and the ways in which they are established, regulated and assessed. These booklets will be made available through community groups and municipalities during their work of forwarding group home bylaws.

We have also entered into an agreement with the city of Toronto to cosponsor a series of group home workshops for service providers, government officials and community leaders in each of the city's 11 wards. These workshops, which will serve as a model for the development of similar programs in other communities, are scheduled to begin in September of this year. They will focus on many aspects of the issue, but they will particularly emphasize the need for community dialogue and for operators to be more responsive to the legitimate questions and concerns of their neighbours both before and after a group home is established.

I believe that initiatives such as these, plus our continuing commitment to work with communities in bringing about the desired changes, will hasten the day when people with special needs or disabilities are welcomed as neighbours and as valued members of every community in Ontario. I invite each member of this Legislature to join us in this very important endeavour.

CORONERS' INQUEST RECOMMENDATIONS

Hon. Mr. Ramsay: Mr. Speaker, on June 16, 1983, the leader of the New Democratic Party raised questions concerning the ministry's policy and procedure in response to the jury recommendations arising from coroners' inquests. I undertook to table with the House the ministry policy that is in place on this important subject.

Incidentally, this will partially respond to the concerns expressed on a point of order by the member for Algoma (Mr. Wildman) a little earlier this afternoon. In addition, later today I will be responding to another question that had been put to me on occupational health and safety matters. The member for Algoma indicates there are others outstanding; I know of only one other. If there are others in addition to that, I would appreciate the member letting me know, because this was the type of working relationship I enjoyed with his predecessor, the member for Sudbury East (Mr. Martel), as far as

occupational health and safety matters were concerned.

In so doing I would advise the members of the House that the Ministry of Labour continues to review carefully the coroners' jury recommendations. At no time have jury recommendations been ignored, as members of the third party have suggested.

Let me take a moment to describe some of the procedures involved in responding to the verdict of a coroner's jury. The local officer of the occupational health and safety division and the coroner's office work in close co-operation during the investigation of a fatality. The ministry investigating officer attends the inquests and gives evidence based on the facts and findings obtained during the course of his or her investigation.

Once a copy of the verdict is received by the ministry through the office of the chief coroner, the branch of the division commences a detailed review involving a visit to the company. The officer meets with the employer and worker representatives to discuss the recommendations and determine what action will be taken at the work place to implement the recommendations.

In preparing the response the division considers whether any orders have been issued or should be issued and whether a prosecution is pending. If there is to be a prosecution arising from the fatality, the ministry will so indicate to the chief coroner and advise him that a ministry response to the jury's recommendations will be forthcoming upon the completion of the court proceedings.

The remarks of the member for York South (Mr. Rae) on Friday last were critical of the distribution of the ministry's responses to the jury recommendations. He suggested that my ministry send copies of its response to the chief coroner to all parties given standing at the inquest. In the first place, coroners' verdicts sent to the ministry by the chief coroner do not indicate who was given standing, and I understand that the chief coroner does not maintain such a list. Second, though, any party who does not receive the ministry's response is sent a copy upon request.

Let me assure the members that the policy of the ministry is to make its responses available to a wide audience so that the parties will be in a better position to prevent the recurrence of this type of fatality in the future. This is stated quite clearly in the policy guidelines used by the ministry.

However, it has come to my attention that from time to time the ministry may not send responses to the joint health and safety committee, and my deputy advises me that this improvement to the procedure will be made forthwith. In this way, the ministry will be enhancing the role of the committees to make additional positive contributions to the health and safety of workers.

2:40 p.m.

In addition, the division has received agreement from the Ontario Federation of Labour that all ministry responses will be sent to the federation for consideration by its membership. This too is a positive improvement to the distribution scheme. Finally, in the construction and mining sectors, jury recommendations and the ministry responses are shared with the labour management committee of the Construction Safety Association of Ontario and the mining Legislative Review Committee of the industry, respectively. In addition, the legislative review committee of the occupational health and safety division advises on proposed amendments arising from coroner's jury recommendations.

I will now table this policy, dated January 11, 1982, on responses to coroners' verdicts. This policy simply consolidated division practice. The policy indicates that there is in place an appropriate procedure responding to the jury recommendations of coroners' inquests.

PUBLIC COMMERCIAL VEHICLES ACT REVIEW COMMITTEE REPORT

Hon. Mr. Snow: Mr. Speaker, in my eight years as Minister of Transportation and Communications I have often reported to this House on activities falling within the purview of my ministry. Few of those occasions have given me as much satisfaction as I feel today, because it is my pleasure to table the final report of the Public Commercial Vehicles Act review committee, a report that is the culmination of two years of extremely hard work.

I am pleased too, because the committee's members were chosen as spokesmen for a number of different perspectives on trucking regulation. That these forceful industry representatives were able to come together on the thorny issue of regulatory reform seems to me a very encouraging sign that here, finally, we will have a set of recommendations upon which to base reasonable, fair and enduring legislation.

One of the cornerstones of that legislation has

been laid in the very committee itself. The process of consensus, which has been the committee's hallmark, will become the model upon which the development and implementation of new legislation is based. The committee has shown us the path of shared responsibility and co-operation and it remains for us to use that experience in the difficult task ahead of drafting a new, relevant PCV Act.

The report is a complex, detailed document which I received only last night, so I have not had time to digest it fully, but two of its basic premises were emphasized to me at the committee's final meeting yesterday. The first is the adoption of a set of public interest objectives and principles for the regulation of trucking in Ontario. From what I have read of them, these seem to me to be simple and sensible and they provide us with just the sort of reasonable, realistic philosophical base we need for successful legislation.

The second basic premise is that the implementation of change should be gradual, carefully staged, so existing carriers would have every opportunity to adapt to any new regulation. This is a place where, as I said earlier, the committee's own model will be useful, because I believe it is very important that the government share with the shippers and carriers the direction and responsibility for the pace of detailed development of changed regulation.

This approach will prove useful in guaranteeing that smaller and regional carriers will have the opportunity to adapt, to reposition and function profitably under any new system. To see a new PCV Act emerge from these premises, the government will have to adopt the substance of the report and this House will agree to the necessary legislative changes.

Inasmuch as the objectives and principles seem sound and the process of implementation reasonable, there are two things that must happen immediately to allow us to get on with developing legislation. I am referring here to the establishment of a control period and the setting up of an administrative structure to effect the regulatory changes.

I believe the committee is right in asking for a period of adjustment to smooth the transition from the old system to the new. To provide for that, it recommends a control period be established to distinguish between those carriers already in business or those which have made application under the existing Public Commercial Vehicles Act and those which apply after today.

In order to clearly delineate between these groups, I have agreed to request the Ontario Highway Transport Board to make a distinction between existing carriers and new applicants for a two-year control period. This will enable existing carriers to "grandfather" themselves into the new system. It is only reasonable that people who bear the burden of making some fundamental changes in the way they operate be given priority over those who apply without having to carry the baggage of the present PCV Act.

This control period will give us two years in which to arrive at a new act, two necessary years, not only for readjustment but for the task of developing appropriate legislation. We must consider the review committee's report along with that of the Uffen commission on truck safety and the committee on the transportation of dangerous goods.

Foreseeing that long and complicated process, the committee has suggested the establishment of a shared administrative structure, including an implementation steering committee and a number of task groups to flesh out the details of legislation and ensure its sensible development over the two-year transition period.

This, again, seems to me to be a useful opportunity to continue the process of consensus the committee has developed. It has come some distance towards reconciling various industry viewpoints, so it is logical to build a new structure on the committee's model.

To that end, I am writing this week to all the major groups which have expressed an interest in the report asking them to nominate individuals prepared to serve in the implementation structure. The members of the steering committee and the task groups already identified will be chosen from that group of nominees. Those who remain will be called upon for specific tasks as required. All nominees will be kept up-to-date and consulted periodically to ensure as broad a consensus as possible.

As groups within the industry nominate candidates, they may also want to create internal committees to liaise with the new implementation structure, as some have already done.

With the control period and the steering committee established, I am confident the progress the review committee has made will continue until a new PCV Act is in place. Even with two years for implementation, that still means a tight timetable. I expect we will see initial transitional reforms to the PCV Act in the Legislature this fall.

As I said at the outset, tabling this report today gives me a great deal of satisfaction. It represents what I feel to be the correct role of government in debates of this nature, that of providing a structure wherein various industry interests can come together to solve their own problems.

I understand that members of the committee will be available to answer questions from the press and interested parties this afternoon at 5 p.m. in committee room 2 in this building. I congratulate them for their perseverance and dedication and look forward to the day when their labours bear fruit in a new, sensible and realistic PCV Act.

BURLINGTON BAY SKYWAY

Hon. Mr. Snow: Mr. Speaker, I am extremely pleased to be able to tell the members of this House that today I signed the award document for the largest dollar volume contract in the history of my ministry, a contract calling for the twinning of the Burlington Bay Skyway.

Specifically, the contract for \$38,747,886.54 has been awarded to Pigott Investments Ltd. of Hamilton, the parent company of Pigott Construction Ltd. It calls for 7,542 metric tons of structural steel, 79,285 metres of steel H-piles, 4,679 metric tons of reinforcing steel and 36,208 cubic metres of concrete.

2:50 p.m.

While I will admit it is virtually impossible to track all the jobs that will be created through the subcontractors and suppliers, I can say it should mean employment for some 1,400 Hamilton and area carpenters, electricians, labourers, steel workers, etc., a sizeable economic shot in the arm for the region.

The new bridge, which will eliminate a serious traffic bottleneck, will span Burlington Bay parallel to and just west of the existing skyway which was opened to traffic October 3, 1958. It will have an overall length of 2.6 kilometres, with the structure itself being 2.2 kilometres. The 151-metre central span will allow for a vertical clearance of 36.6 metres above high water. The overall deck width of 21.25 metres will provide for five driving lanes, shoulders and barrier walls.

Pigott's bid, some \$40,000 under its nearest competitor, calls for three poured-in-place reinforced concrete spans, the balance being structural steel spans in the approaches. Construction is scheduled to begin almost immediately with completion, barring the unforeseen, in late 1985.

Although it is not part of my statement, I will mention to the House that Pigott Construction was one of the major contractors on the present Burlington Skyway which opened in 1958. Although that contract was not awarded as one major contract the way this one is, Pigott carried out the majority of the work. The balance was carried out by the contractor who was the second bidder on this job and lost by only \$40,000 on an almost \$40-million contract.

RIDING OFFICE LOGO

Mr. Roy: Mr. Speaker, on a point of privilege: I have made complaints on a number of occasions to you personally and to your predecessor about some members who closely identify their riding offices with their party. Just recently you sent us a memo saying we should not get involved in any identification of political parties with riding offices.

I have received a few complaints about the riding office of my dear friend the member for Ottawa South (Mr. Bennett). I want you to look at this picture, Mr. Speaker, and give us your opinion whether this offends your principle. Do you feel this particular riding office logo too closely identifies his riding office with the Progressive Conservative Party?

Mr. Speaker: Perhaps you could send it to your member on the Board of Internal Economy and it will be brought up at the appropriate time.

ORAL QUESTIONS

Interjections.

Mr. Peterson: Could you maintain a little order here, Mr. Speaker?

Mr. Speaker: Order.

Mr. Peterson: Thank you very much.

TRUST COMPANIES

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations regarding the ongoing trust company matter. This being the last day, I think it is important to discuss some of these issues.

The minister will be aware that over the past six months we have brought to his attention thousands of apartment units, affecting roughly 45 properties at the very least, all of which have not been in compliance with the law as it exists in this province.

The minister has been reluctant to share information with members of this House, although he is prepared to make that public in various

court documents. I draw the minister's attention to the report of the interim receiver and manager of Kilderkin Investments of June 15, 1983, filed in court, which he will be aware is a searing indictment of his ministry's negligence in the entire trust company affair.

How could he allow those kinds of things to go on? It says in the report: "Some transactions appear to be complete shams, structured to appear as bona fide deals in order to produce cash for the principals. Some flip transactions had the effect of improving the balance sheets of Greymac and Seaway and thereby expanding their borrowing bases, which in turn permitted substantial funds to be raised from the public." Some of them, of course, were sold through the government's own savings and loan office.

Mr. Speaker: Question, please.

Mr. Peterson: How could the minister have allowed, for at least two years prior to the takeover, this kind of wholesale violation of the act? It is still continuing under his ministry. How can he explain that?

Hon. Mr. Elgie: Mr. Speaker, may I take a while on this? The Premier (Mr. Davis) says I must get down to a brief and quick—

Hon. Mr. Davis: No, I want him to understand it.

Hon. Mr. Elgie: He wants him to understand the issue.

Mr. Martel: That would take all afternoon.

Hon. Mr. Elgie: I say to the Premier, I cannot take that long.

Mr. Speaker: Now to the question, please.

Hon. Mr. Davis: Speak slowly.

Hon. Mr. Elgie: I will speak slowly then, if that is the idea.

First, I think the statement that there is an ongoing situation with respect to monitoring activities in the registrar's office is an absolutely unfair and unfounded criticism. I do not accept it; I reject it.

It will be no surprise to the member that the majority, if not all, of the matters he has brought to the attention of this Legislature were matters that were already known to the ministry. As a matter of fact, he has even gone to the trouble of having people follow my staff so they could keep track of where they might find information. Last Wednesday, they even went to the trouble of phoning the office to get some information about a trust company the member proceeded to ask questions about the next day.

One can commend the member for some of

the work he has done, but not for much of the work which my staff has had to do for him. Frankly, it is causing them a problem because they want to get on with dealing with the affairs of this province and not with supplying the member with information so he can come to the House and ask about it.

It will come as no surprise to him that there is a Morrison inquiry looking into the activities with respect to three particular trust companies and two mortgage companies in this province that are federally incorporated. It will come as no surprise to him that we are carrying out an internal review of the adequacy of the monitoring capabilities of this ministry and, if necessary, there will be an external review of that. He will also not be surprised to learn that a white paper, I have already promised this House, will be presented in some way before the Legislature for discussion.

To suggest that nothing is going on and that we are unaware of whatever is happening shows he has not been following what has gone on in this House.

Mr. Peterson: Mr. Speaker, on a brief point of privilege: The minister has now alluded on at least three occasions to the fact that we were following him or his staff about. That is absolutely, categorically untrue. Perhaps there should be an investigation into some of the paranoid people working for this man. They have reason to be paranoid because they have been so incompetent over the past two years.

Mr. Speaker: Supplementary, please.

Mr. Peterson: That is categorically untrue and I think we should dispel that little myth at the present time.

We have brought to the minister's attention a number of other trust companies that have violated the Loan and Trust Corporations Act in this province, none of which he has denied. How many special examinations has he ordered of other trust companies under subsection 151(1)? Will he table those reports and the names of those trust companies?

Hon. Mr. Elgie: It is true that last Thursday in this House the Leader of the Opposition requested information about another trust company, London Loan, I believe it was. I have had occasion to discuss that with the registrar and the specific information requested is being prepared.

In asking that question, I hope the member understood the history of that institution. He knows it was incorporated in the mid-1970s and lay dormant. He knows it was then purchased by

Argosy. He knows that while Argosy was still functioning, prior to the events he is also well aware of, that portion of it was sold off to a group in London. I hope he knows that since that time it has been run, as far as the registrar is concerned, responsibly, efficiently and with integrity. The registrar assures me there is absolutely no risk to depositors.

It may well be true that a number of mortgages and transactions inherited with the purchase of that company required dealing with in certain ways, but to suggest that there is anything fundamentally wrong with that company at this time, I think is totally irresponsible on the member's part—unless he wants to stand up and make an accusation against them. The registrar is firmly of the opinion that it is a well-run and efficient organization that did not deserve the member's criticism.

3 p.m.

Mr. Peterson: He was firmly of the opinion that Greymac was in good shape when he gave them back their annual licence at the end of October. That is the kind of firm opinions the minister is getting out of the registrar.

Mr. Speaker: Question, please.

Mr. Peterson: Presumably, the minister is going to act on a number of these matters in the next three months. Will he undertake now to put before a committee of this Legislature those reports that will be forthcoming to him? I am referring particularly to the internal review of his own ministry. Will the minister put that report before a committee of this Legislature so we can have an external review, or is he going to continue stonewalling, resisting all sorts of independent reviews of why this whole matter happened? Will the minister put that into committee?

Hon. Mr. Elgie: Mr. Speaker, I know this will offend you, and I do not want to take too much of the time of this House, but may I take a little time? I do not want to offend your wishes, sir, but I must say the introductory remarks with respect to Greymac were unwarranted and contained statements the member knows are not correct.

First of all, the member knows very well that the legislation, which he understands very thoroughly because he keeps quoting sections out of it, at that time did not permit the registrar to issue limited licences. The registrar was doing it on his own initiative, and I would hope he would commend him publicly for doing that.

He knows full well that was not so. That was

pointed out quite firmly by representatives of Greymac in October. He knows full well that a lengthy letter was written to that company requiring their signature, guaranteeing that they would not do certain things and would not commit certain moneys, which they then proceeded to do.

To suggest that in October he was guaranteeing the position of Greymac because the licence was renewed is totally inaccurate. The member knows that, and he should not say it when he knows it is not true.

With respect to the other documents, I have already committed to this House that the Morrison report will be tabled in this House; as to the internal review and possibly an external review, I have already said there will be some process of review, the exact nature of which will have to be determined.

Mr. Peterson: It is a preposterous proposition. He wants it both ways.

Mr. Speaker: Question, please.

C. H. LEWIS LANDFILL SITE

Mr. Peterson: Mr. Speaker, I have a question for the Minister of the Environment. He will be aware of the discussion of a number of landfill sites over the past few months in this House: Upper Ottawa Street, Perkinsfield, Fighting Island and a variety of others. I want to bring to the minister's attention another dump site of which he is probably aware, the C. H. Lewis (Lucan) Ltd. dump in the village of Lucan.

As the minister is aware, that dump site has been operating in contravention of the conditions of approval set by his ministry according to a certificate of approval issued in January 1972. Is the minister aware that dump was registered to receive the waste from 5,000 people in three communities and it is now receiving the waste from some 16,000 people in many more communities, including London township, Lobo, the University of Western Ontario and the Ipperwash army base?

How could the minister allow this ongoing violation of his own regulations?

Hon. Mr. Norton: Mr. Speaker, I am sure the honourable member is well aware of the fact there are probably 1,500 landfill sites in Ontario. At the moment, I do not have the details of that particular licence at my fingertips. I will certainly be pleased to review it and report back to the House if I have that opportunity before the House rises for the summer. If not, I will otherwise communicate to the member on the

status of it. At the moment I cannot either confirm or deny whether the information he has presented to the House today is accurate. I have to review the licence to be sure.

Mr. Peterson: It is so unfair. I guess the minister would like to know ahead of time before we ask him questions, as would the Minister of Health (Mr. Grossman); but the Minister of Consumer and Commercial Relations (Mr. Elgie) would not like to know because he feels the staff has to do too much work for us.

Mr. Speaker: Question, please.

Mr. Peterson: I am just trying to get the differences among the variety of opinions over there.

I want to draw to the minister's attention that, in addition to this ongoing violation of the licence, it has been determined that some 1,200 parts per billion of phenol were found in the leachate coming from that dump site into the Ausable River. Will the minister use his good offices to stop that leachate immediately, to bring in whatever is necessary to prevent that leachate from leaking into the Ausable River? It has already contaminated one well, and the potential harmful effects of this, of course, are very serious, given its location.

Hon. Mr. Norton: I will respond to the first question the leader asked as well as to the second. No, I do not suggest he should give me notice in advance of all the questions he wishes to ask. I note, as he has tried to do on occasion, that he has carefully prepared written questions, which he reads from when he stands in the House; and in spite of the suggestions he has made from time to time, I very rarely have to make reference to written material to read a response to him. In fact, I suggest to him that I am much more familiar with the situation with respect to environmental issues in this province than he has any hope of ever becoming.

By the same token, when he dispatches his minions to try to ferret out the most obscure bit of information he can, he has to expect that there are going to be times when I may not have the response at my fingertips and I might require some time to review such a licence.

The member does know that I have had in place now for some time a multidisciplinary task force that is looking precisely at potential problems with respect to landfill sites.

Mr. Speaker: And I am sure you are going to look into it.

Hon. Mr. Norton: I will be pleased to respond to the member on the specifics of his second

question when I have had an opportunity to review it.

Mr. Charlton: Mr. Speaker, I assume, as is always the case with the minister, that his staff has been closely monitoring this site and has reports on ground water tests and on tests in the wells around that site as well as some identification of the contaminants that are leaking out of that site. Will the minister, in the process of finding out about this site, table with this House the monitoring reports of his ministry on that site and the surrounding area?

Hon. Mr. Norton: Mr. Speaker, as the honourable member knows, we probably are one of the most open ministries anywhere in any government in this country. We have always made it a practice to share whatever information we have as a result of tests, whether we are talking about Stouffville, Perkinsfield or wherever. Of course, I would be delighted to share with the member whatever information we have that he would like.

Mr. Peterson: I should ask, if the minister does not know anything about it, why does he talk so much? But I will ask him a question in response to his last point, which is categorically untrue.

Is the minister aware that his officials requested that C. H. Lewis hire consultants to do a hydrogeological study of the landfill? That study was filed, with copies going to his ministry as well as to Mr. Lewis. Lawyers have requested copies of it on behalf of the citizens at the appeal hearing, and the minister has denied the citizens copies of that report. Will he use his offices to make sure that all this information is made public?

Hon. Mr. Norton: I do not know who has been feeding information to the member. I have never denied access to any such report.

INSPECTION OF NURSING HOMES

Mr. Rae: Mr. Speaker, my question is to the Minister of Health. Given the fact that sections 1, 3 and 17(2) of the Nursing Homes Act give very specific authority to his inspection service to go into any home that is offering nursing care to determine whether or not that home is offering nursing care, I wonder whether the minister can explain the apparent policy of his ministry, as has been expressed by Ms. M. Butteriss, the administrative assistant to the director of the nursing home services branch, as well as by his predecessor, the current Minister of Agriculture and Food (Mr. Timbrell), in

correspondence with the member for Windsor-Riverside (Mr. Cooke) with respect to another rest home, where they both indicated that, in their view, the Ministry of Health could not exercise authority over rest homes.

Can the minister please explain this apparent contradiction in policy between the actions of the ministry and the clear wording of the Nursing Homes Act with respect to his authority to investigate the operations of homes that are providing nursing care in the province?

3:10 p.m.

Hon. Mr. Grossman: Mr. Speaker, clause 1(g) of the legislation to which the leader of the third party is referring defines "nursing home" not as he would define it but, rather, very specifically as not including any premises falling under the jurisdiction of the Charitable Institutions Act, the Children's Mental Health Services Act, the Children's Residential Services Act, the Homes for the Aged and Rest Homes Act, the Mental Hospitals Act, the Private Hospitals Act or the Public Hospitals Act. It is quite clear in the legislation that the Nursing Homes Act does not, as is spelled out in clause 1(g), include premises that fall in the Homes for the Aged and Rest Homes Act.

Mr. Rae: Is the minister denying the fact that there are currently rest homes in the province that are not regulated and that are providing a level of care that could be described as nursing care? Can he explain why the inspectorate has not carried out its authority under subsection 17(2) of the act, when the communications director for the Rest Home Association of Ontario, Mary Gurney, has stated to us she estimates that in its membership's homes, which do not include the full gamut of rest homes, as the minister is fully aware, at least three of every 30 residents require nursing home levels of care?

Hon. Mr. Grossman: The honourable member can ask the question why they are not under this legislation, and he can suggest there should be different pieces of legislation or different inspection procedures for rest homes. But, with respect, those are not questions that properly lie with the Ministry of Health. The member should address these questions either to my colleague or to the various municipalities that have quite clear and direct authority to undertake the appropriate inspection of rest homes.

Mr. Rae: I simply want to point out to the minister that at the press conference it held this morning, the Ontario Nursing Home Associa-

tion indicated it felt the Ministry of Health should establish a uniform standard of care and one set of regulations to govern all long-term care providers. It also suggested, and I am quoting, "Enforce regulations in all long-term facilities irrespective of their institutional setting by any designated inspection branch."

Why is that not now the policy of his ministry? Does he not realize there are a number of rest homes that are operating outside the jurisdiction of the Ministry of Community and Social Services, outside the jurisdiction of the Ministry of Health and outside any regulation by any municipality? Does he not recognize there are a number of homes that are not covered at present? Does he not think we should have a uniform standard of care for people in institutions in this province?

Hon. Mr. Grossman: Let us deal with the facts of whether they are totally unregulated or uninspected or whether there is no legislation in place to accommodate that. Rest homes and boarding homes largely come under municipal authority. There are a number of acts in place, in case the member has not been able to check them out, which give local authorities the power to take all appropriate steps. Any local medical officer of health has power under the legislation to take appropriate steps if he sees fit. The fire marshal's office has jurisdiction for fire standards. Local municipalities have bylaws guarding, for example, the number of persons living in a rest home, and on and on.

With respect, if the member wants to suggest that municipalities and fire marshals are not meeting their responsibilities under the legislation with regard to rest homes then he should put that proposition to the municipalities and let their fire chiefs—

Mr. Foulds: You are not meeting your responsibility.

Mr. Martel: You should quit your job.

Mr. Speaker: Order.

Hon. Mr. Grossman: I do not need help doing my job as the member's leader does from his two seatmates there.

Mr. Martel: Tell us about all the facts that are not right.

Hon. Mr. Grossman: Okay. It will ruin the member's holidays.

In any case, if the leader of the third party wants to put the proposition that those currently responsible for inspecting the rest homes in this province are not doing their jobs, he should go to the municipality and the fire marshal's office

and point out where they and the local MOHs are not doing their job. With respect, none of that falls under the purview of the Ministry of Health.

Mr. Rae: We are pointing one finger and making one proposition, and that proposition is that the Minister of Health is not doing his job.

Mr. Speaker: Question, please.

CORONERS' INQUEST RECOMMENDATIONS

Mr. Rae: Mr. Speaker, I have a question for the Minister of Labour with respect to the statement he made today about coroners' inquests. Specifically, I want to ask the minister about the document dated January 11, 1982, which he tabled with the House today, in which there are a number of questions which it is recommended should be asked when replying to a recommendation.

Subsection 2(c) says, "If no section of the act and regulations apply, will we have to consider additional regulations, or is there another strategy that is equal or better?"

I simply want to draw to the minister's attention two instances in the last year and a half: the tragic death of Milton Gerald Abrams, who was a farm worker on a farm near Napanee—November 17, 1982, was the date of the coroner's inquest; and January 12, 1983, when a coroner's inquest into the tragic death of Patricia Friedman at the Campbell Soup hatchery in Elma township took place.

I want to ask the minister whether any conclusions were drawn by his ministry with respect to the exclusion of agricultural workers from the Occupational Health and Safety Act in either of those two tragic deaths. If they were, can the minister explain why we have had absolutely no action in this Legislature with respect to changing the law of the province so that farm workers and agricultural workers have the same protection as other workers under the Occupational Health and Safety Act?

Hon. Mr. Ramsay: Mr. Speaker, I believe it was a very few months ago that the Minister of Agriculture and Food (Mr. Timbrell) announced the formation of a special task force made up of representatives from the ministries of Agriculture and Food and of Labour to study this very matter.

I must admit there were some problems in filling the complement of members of that task force. That has been resolved in the past month, and we are very optimistic their work will get

under way almost immediately. I am looking forward to their deliberations and to the recommendations they will make in this respect.

Mr. Rae: In view of all the recommendations for changing the regulations and for changing the law that have emerged from the coroners' inquests in the past year and a half, why have we been unable in our survey of the regulations to detect any real changes in them to reflect the number of tragic accidents that have occurred in the past year and a half?

Specifically, I wish to ask the minister a question with respect to the mining industry. There have been a number of recommendations from coroners' juries that miners should not be allowed to work alone. Can the minister tell us whether there will be any changes to the Mining Act and regulations under the Mining Act to protect the underground workers and to make it illegal for workers to work alone underground?

Hon. Mr. Ramsay: I am not in a position at this time to give a substantive answer concerning any changes in the regulations in respect of workers being alone on the job, other than to say that the matter is under very active study at the present time.

Mr. Rae: When I first raised this question on Thursday, June 16, the minister answered that the coroner had discretion in terms of deciding whether to call an inquest into an accidental death outside a construction or mining site. He indicated the factors, saying they were "first, that criminal charges have been laid; second, that the circumstances of the death are obvious and the facts are well known; third, that a recent inquest has been held on a similar incident; and finally, that the circumstances of the death were unique."

I ask the minister to think for a moment about the implication of that third factor. Would he not agree that it is precisely when similar incidents have occurred and no subsequent action has been taken by the Ministry of Labour that another coroner's inquest should be held to continue to put pressure on the ministry and on the employers to change the law and to protect the lives of workers in the work place?

Hon. Mr. Ramsay: If I interpreted that correctly, that was a statement of opinion rather than a question and I accept it as that.

3:20 p.m.

Mr. Speaker: The Minister of Labour has the answer to a previously asked question.

DIESEL EMISSIONS

Hon. Mr. Ramsay: Mr. Speaker, on May 10 the member for Sudbury East (Mr. Martel) and the member for Algoma (Mr. Wildman) raised questions concerning diesel emissions at the Canadian Rock Salt Co. Ojibway mines. I have quite a detailed response and, rather than read it, I will send it across to the honourable members.

Mr. Martel: Mr. Speaker, even though I have not read the statement, could I ask—

Mr. Speaker: You are just going to anticipate it.

Mr. Martel: I anticipate it based on two studies I received recently.

Dr. Ken Westaway, professor of chemistry at Laurentian University, indicates that seven out of the 13 polynuclear aromatic hydrocarbons that workers are exposed to in mines where diesel equipment is being operated are carcinogenic. Seven out of the 13 substances are carcinogenic. Not having read the minister's answer, is the minister prepared to have his staff do a major study on the effects of being exposed to diesel emissions so we do not have to wait 20 years down the road, which is the latency period for these things to take effect, until people start dropping dead, as at Elliot Lake, before introducing change?

Would the minister order an immediate study of the total effect of diesel emissions? It might be in his statement; I do not know. If it is not, would he order an immediate study of the effects of diesel emissions on workers who are exposed, since seven of 13 substances are carcinogenic?

Hon. Mr. Ramsay: The date escapes me, but a briefing session for the member for Sudbury East and the member for Algoma has been set up within the next short period of time with respect to the mortality study. I believe the matter the honourable member has raised can be addressed at that time. He will then have had the opportunity to look at the detailed response I have already provided.

NEIGHBOURHOOD IMPROVEMENT
APPLICATION

Mr. Eakins: Mr. Speaker, my question is for the Minister of Municipal Affairs and Housing. The minister will recall that he recently held an availability session in Perth with several municipalities in the area, attended by a number of his colleagues. In response to a question from the mayor of Smiths Falls regarding its application

for an Ontario neighbourhood improvement program grant, the minister was quoted as having made reference to the manner in which the town handled its last capital project and in effect accused the town of bungling and mismanagement.

Will the minister tell this House whether he has made a decision on the ONIP application by Smiths Falls and what that decision is? Second, is the minister prepared to apologize to the town for the statements made at this public meeting, which the minister publicly agreed to do if his allegations were proven false?

Hon. Mr. Bennett: Mr. Speaker, first, I think I answered the question in relation to the ONIP grant at the time I dealt with the community of Smiths Falls. I indicated clearly at that time the application it had made for 1983 was not receiving favourable consideration. Second, I have no reason to make an apology. I believe the silence of the community indicates clearly the statements made by the minister had some degree of accuracy, if they were not completely accurate.

Mr. Epp: Mr. Speaker, is the minister aware that the last capital project undertaken by Smiths Falls, under the community services contribution program, was funded jointly by the federal government and the provincial government and that the federal government has indicated it has no problems with the way Smiths Falls administered that program? In fact, as a result of consulting the community renewal branch of his own ministry, the administrative problems were of a trivial nature and in no way affected the town's eligibility for an ONIP grant. Is the minister aware that all administrative details between his ministry and the town have been settled very satisfactorily?

Given that and the fact that he indicated on May 13 he would apologize if his facts were found wanting—that in his opinion things were not correct, is the minister now prepared to apologize to the town and to clear up the embarrassment he has caused the town through his inadvertent or blatant statements, which have been found to be completely incorrect?

Hon. Mr. Bennett: Mr. Speaker, I am not sure whether the member for Waterloo North listens to his colleague the member for Victoria-Haliburton (Mr. Eakins). Indeed, that member asked just two minutes ago whether I wished to make an apology.

Let me say first of all that the community services contribution program was administered

entirely by my ministry; it was funded federally and provincially but administered by the province. The federal government has not been involved in any way, shape or form in any of the administrative responsibilities; so for the federal government to say things went absolutely correctly or properly is, of course, somebody's imagination, because the federal government was never involved in any portion of the administration or the approval program. That was the responsibility of this ministry and this ministry only.

With respect to the request for an Ontario neighbourhood improvement program grant, I said to the community of Smiths Falls that I would send people from the Ministry of Municipal Affairs and Housing down to meet with them to review very clearly and precisely where we believed there were some faults in their present use of public funds. They have been at the meeting, they have met with their administrative officers, they have met with other members of their council and I offer no apologies. Silence, I said before and I repeat again, indicates that the remarks given to me by my staff and repeated by me in the presence of the mayor and the members of that council are correct.

Let me add only one other thing. In relation to the CSCP fund, there will probably be a surplus of moneys from that particular allocation made two or so years ago to Smiths Falls. If there is a surplus, there is a possibility that we will be able to entertain some of the ONIP requests of 1983 under the provisions of those funds, which are funded jointly by the federal and provincial governments.

Mr. Epp: Even your own staff in the community renewal branch said the administrative problems were relatively minor—

Hon. Mr. Bennett: Mr. Speaker, on a point of privilege: I have to suggest to the member for Waterloo North that if he got some indications from my staff saying we are wrong, then I will offer the apology. But I want the member to make it very public with a statement and a letter indicating that, because it is not true.

RETAIL FOOD PRICES

Mr. Swart: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations; it concerns consumer matters, for which he has responsibility, and the Inflation Restraint Act, for which he has responsibility.

I wonder whether the minister would explain why this one-pound container of pure soya oil

soft margarine has gone up from \$1.15 in June 1981 to \$1.43 this June, an increase of 20 per cent, while the price the farmer gets for his soybeans has dropped from \$291 a metric ton to \$250—figures from the Ontario Ministry of Agriculture and Food—down 14 per cent in the same two years.

Perhaps he would also explain why the average supermarket price of this two-pound package of Fleischmann's, which is made from pure corn oil, has increased by 20 per cent in those same two years, from \$2.73 to \$3.39, when the price of corn paid to the farmers, according to OMAF figures, has decreased by 21 per cent from \$157 a metric ton to \$118 during that same period of time.

Now that the farmers are being ripped off as well as the consumers, will the minister abandon his traditional hands-off policy on prices and use the powers he has constitutionally to investigate and stop these kinds of exploitation of both the producers and the consumers?

An hon. member: What about the dairy farmers?

Hon. Mr. Elgie: Does he not care about the dairy farmers?

Why did the Minister of Agriculture and Food (Mr. Timbrell) leave, Mr. Speaker? I do not understand that.

I might say I was not greatly surprised that the member for Welland-Thorold rose, because the cameras were already on him; so I knew it was all well planned. I also knew that when he rose, it would be the same old problem. He always wants to look at the bad side, never at the good side. He does not want to tell us that between April and May prices went up fractionally. He does not want to tell us that May on May, one full year, prices of food, on average, went up by three per cent. He does not want to tell the good news, because he could not go home and tell the message that things are not going badly overall.

He does not want to tell us that dairy and eggs went up by only 6.1 per cent. He does not want to tell us that beverages, on average over a year, went down by 0.4 per cent. He does not want to tell us that beef over the year went down by 0.9 per cent. He does not want to tell those things, because they tell, on the average, a good story, and he does not like good stories.

3:30 p.m.

Mr. Swart: The Minister of Consumer and Commercial Relations sure evaded my question. High prices are always a matter of fun and jokes to the minister. I wonder if it would be

possible to convince the minister he should take some action if I showed him this two tub, one pound package of margarine from the United States which sells for 89 cents there compared to \$1.43 here.

Interjections.

Mr. Speaker: Order. This is a very important matter and we should listen attentively to the member for Welland Thorold.

Mr. Swart: These are both made by the same company, and that is less than two thirds of the price charged for it here. Would it help to convince the minister if he knew this two pound package of Fleischmann's corn oil margarine sells for \$2.14 in the US compared to \$3.39 here?

Does it not impress the minister that the three multinationals which control the market here have much higher profits relative to Canada than they do in the US? Nabisco, which now owns Standard Brands's Blue Bonnet and Fleischmann's, says in its latest financial report, after bemoaning its operation elsewhere, "However, earnings show a strong increase over a year earlier levels, particularly for operations in Canada, Spain and Italy." Lever Brothers, which sells Monarch and Imperial, doubled its profits in Canada last year.

Mr. Speaker: I am waiting for the question.

Mr. Swart: It is coming right now, Mr. Speaker. Why do the minister and his government so stubbornly refuse to intervene, ever, to protect the consumer against price gouging?

Hon. Mr. Elgie: I want to protest. When the Minister of Health (Mr. Grossman) was the Minister of Consumer and Commercial Relations, he at least used to get the margarine sent over to him. When the minister to my left, who does not want to be known as being on my philosophical left, was the minister he used to get cans of orange juice. I get nothing.

I must say, though, that I was interested the member for Welland-Thorold did not single out the particular city or the particular store where he is buying his US goods. The store where he used to shop went bankrupt because it was having a lot of problems. We checked that one out carefully some eight or nine months ago, and it did not exist any more.

We also carried out studies comparing Windsor and Detroit which showed that by and large there was equilibrium but, if he is suggesting there will be occasional variations that will be significant, certainly there will be. I know he wanted to stand up the other day to complain about the fact that, for example, canned juices

had only gone up 1.3 per cent per year. I know he wanted to stand up and say, "That is not fair to the company", but he did not do that.

This government takes an interest in the overall issue, and I say that year on year, the issue looks pretty good with an increase of three per cent over a year.

Mr. Swart: Mr. Speaker, on point of privilege: The minister complained I did not send him any of the margarine. I just want to say that, while he was standing, I looked at the area of his belt and I did not think he needed any more spread.

Mr. Riddell: Mr. Speaker, is the Minister of Consumer and Commercial Relations aware that, if the consumers of Ontario expect to have a continuity of high quality foods produced in this province, they may have to look at spending more than 17 per cent of their take-home pay on the good food that is produced here? Otherwise, it is going to be difficult for our farmers to survive.

Hon. Mr. Elgie: Mr. Speaker, I do not think that could be said more precisely by the Minister of Agriculture and Food (Mr. Timbrell) or myself. Certainly, as we look at these issues, we have to look at an equitable return for farmers as well as stability of supply. There will be variations because equitable return to the farmers remains a fundamentally important goal for this government and this Legislature.

PAYMENT FOR PRODUCE GROWERS

Mr. Watson: Mr. Speaker, I have a question for the Minister of Agriculture and Food. My question concerns Southland Canning and the fact that growers in my constituency and southwestern Ontario have not yet been fully paid for their 1982 tomato crop, which was delivered and processed by Southland. Can the minister advise this House on the status of the settlement proposals that would result in the growers who delivered tomatoes to this plant being paid for their produce?

Hon. Mr. Timbrell: Mr. Speaker, I think the member is familiar with the background, as are the members of the House, and with the difficulties of the company in question. We have been in touch for some time with representatives of the Agricultural Products Board which has made an offer with respect to the purchase of the remaining inventory of this company.

We have offered to participate with that board in an enriched offer to the affected growers. I have confirmed that offer in writing

recently to the Minister of Agriculture of Canada. I am hopeful the minister and the Agricultural Products Board will accept our offer so that the growers involved, while not receiving 100 per cent compensation, will certainly receive considerably more than if this company were allowed to proceed into receivership and bankruptcy, and then try to realize on unsecured debts.

Mr. Mancini: Mr. Speaker, on several occasions my colleague the member for Kent-Elgin (Mr. McGuigan) has written to the minister and has asked questions in the House on a regular basis concerning Southland Canning. Like the other members, I have constituents who are being affected by Southland Canning's financial problems. The minister is aware, of course, that the canneries are licensed by his ministry and before they are licensed he must assume they are financially solvent, so he does have some responsibility in what has transpired.

Will he finally agree to the suggestion put forward by the member for Kent-Elgin, to defer from collecting the Board of Industrial Leadership and Development money that was given to Southland Canning and have that money go to the producers who are going to suffer severely if they are not paid for their products? If he takes that step, he can solve the problem immediately almost all by himself.

Hon. Mr. Timbrell: Mr. Speaker, first, the total indebtedness to the growers is \$510,000. Second, the amount of money BILD put into this company is \$350,000. Third, while our money is in a secured position, we have no way of knowing whether we will get all or any of it when this company is finally wound up.

Had the member been at estimates last Wednesday afternoon, he would know the member for Kent-Elgin and I had a rather lengthy discussion on this very matter. I pointed out to him that, particularly because we might well realize zero on our money depending on how this all plays out, to put up the BILD money could turn out to be a very hollow gesture. I pointed out that reason and also the concern of the BILD committee and the chairman of the BILD committee of cabinet about the precedent.

Given those facts, I have opted instead with my staff to work with the Agricultural Products Board. We have offered to assist it and participate with it in an offer to the growers which will not give them 100 per cent, but will certainly leave them in a much better position than if the company, as I said earlier, was just allowed to be put into receivership and go bankrupt. Given that the moneys owing to them are not secured

debts, if that scenario were to unfold they could wind up with nothing. Obviously, I do not want to see that happen. That is why we have made this approach to the Agricultural Products Board.

I discussed it with the member's colleague last Wednesday afternoon and I shared with him on a confidential basis the very information I just gave the member for Chatham-Kent (Mr. Watson).

3:40 p.m.

EDUCATIONAL MICROCOMPUTERS

Mr. Newman: Mr. Speaker, I have a question for the Minister of Education. On Monday, June 13, I asked the minister a question about Advanced Business Computer Systems International Inc., known as ABC. In her reply, the minister seemed to suggest the failure of ABC to participate in the educational computer consortium of the Ministry of Education was perhaps due to its declining an invitation to participate.

If the minister will check back, she will know that ABC was enthusiastically approached by a ministry official in June 1982, which resulted in a June 18, 1982, letter from ABC requesting participation, information and ministry specifications. When no answer was received, ABC made telephone calls to the ministry which were not answered.

Mr. Speaker: Question, please.

Mr. Newman: A second letter of November 9, 1982, also went unanswered by the ministry. Approaches to the Ministry of Education through the Ministry of Industry and Trade resulted in the promise of a meeting, but that was never held.

Will the minister advise what policy was served by systematically excluding ABC, a very interested Canadian manufacturer of educational computers, from the ministry's process of developing an educational microcomputer?

Hon. Miss Stephenson: Mr. Speaker, I shall certainly investigate the allegations made by ABC, which is a rather familiar set of initials. It was my understanding any contact regarding participation in this activity would be made through the Canadian Educational Microprocessor Corp. rather than specifically through the Ministry of Education.

I do not believe there would be any direct contact with the Ministry of Education in this area in November, since Cemcorp was most certainly in place and had been in place, although there was a period of difficulty, between June 1982 and September 1982. I believe Cemcorp

was the appropriate site for discussion about participation in the manufacture of the educational microcomputer.

I shall investigate that. I do not believe those in the Ministry of Education who participated in the discussion in Cemcorp would not answer mail or return telephone calls directed to them. I shall investigate those allegations and report.

Mr. Newman: The minister has tried to give the impression the educational computer consortium was and is open to participation by Canadian high-tech companies and that ministry specifications resulted from collaboration with the industry and the Canadian Advanced Technology Association.

Will the minister admit she has created a monopoly to provide this province with educational microcomputers and that Cemcorp is the chosen instrument of the ministry for the supply of those computers? Will she also admit Cemcorp was instrumental in developing the specifications that limit Ontario government subsidies to those companies which conform to the specifications and, in the short term, only Cemcorp products will qualify for that subsidy? Will the minister confirm this is the case?

Hon. Miss Stephenson: No. It is not a monopoly. In spite of the attitude of the corporation existent within his riding, the honourable member should understand that we have not produced a monopoly. We have developed specifications for an educational microcomputer that will permit the participation of any company—I hope a Canadian company—able to meet those specifications.

I hope the member will remember that the advantage provided for the purchase of such equipment in schools is that 75 per cent of the cost of the educational microcomputer that can meet the specifications will be supported by a grant from the Ministry of Education. If a board buys a microcomputer that does not fit those specifications, it can expect no advantage of that sort.

As I clearly told the member the other day, we have assisted Cemcorp in the development of the specifications. They have brought together the companies which are investing in this private company and we have guaranteed that, if the prototypes developed function effectively in the three-month trial period, \$8 million worth will be purchased for the school system of Ontario. That is the guarantee. We have not produced a monopoly and we have no intention of doing so.

HOSPITAL ADMITTANCE DELAYS

Mr. Cooke: Mr. Speaker, I have a question for the Minister of Health. I wonder if the minister is aware of the incredible delays taking place for people in southwestern Ontario who need to get into University Hospital or Victoria Hospital to have the kinds of operations that cannot be done in the smaller communities, for example, Windsor, Chatham or Sarnia.

In particular, I would like to bring to his attention the two specific cases of Thomas O'Connor and Nancy Clinninsmith, both of whom needed heart surgery and had to wait up to three months to get into University Hospital. Dr. George Wong, whom we contacted, indicated to us that a wait of three months is not unusual. These are not optional operations. These are operations he considers to be "immediate, serious, surgical intervention."

Nancy Clinninsmith was told to go home when she went into University Hospital. She went down there and the operation was delayed for an additional six weeks. She is 30 years old, has five children and was advised by the hospital to take it easy while she was at home waiting for the operation.

What is the situation and what action is the ministry prepared to take so there are adequate facilities to take care of the large demand?

Hon. Mr. Grossman: Mr. Speaker, I want to be quite clear that we are reviewing the data supplied to us from University Hospital to ascertain whether there is a referral pattern in that part of the province which is putting extraordinary pressure on those beds. There may well be. As we review all this with UH, if it turns out those are real problems and not problems that can be otherwise managed, we will have to look at adding some beds in that area. That has been the case for several months as we have been reviewing those data.

Mr. Cooke: The minister will be aware that apparently Dr. Scott, an outside consultant, was hired and has prepared a study we are told has been sitting on the minister's desk for quite some time regarding University Hospital. Further, the hospital indicates the reason there is a problem is because it is underfunded and actually needs 26 more beds in the intensive care and trauma units.

I have brought two cases to the minister's attention this afternoon; there are obviously many others. When can we expect the government to react to provide the proper facilities for a hospital that serves a large area of Ontario?

Hon. Mr. Grossman: Let me separate those two items. I have to suggest strongly that the hospital, given what it is currently doing, is not underfunded. I think most serious observers of the scene, including the people at UH themselves, would acknowledge that the hospital is decently well funded for the procedures its doctors are now doing.

With regard to whether an additional 26 beds in the intensive care and chronic care units are needed, that is a different question. One of the things we have been seeing in that part of the province is that many of the doctors in the area, having been in receipt of a lot of new, updated emergency techniques and information, are beginning to send more and more of their cases to the CCUs and ICUs in London as opposed to maintaining them in other hospitals.

Obviously, it is hard for us to make an immediate judgement with regard to whether all or most of those referrals are proper ones, but we can conclude that what is happening in that part of the province is the doctors are now better informed and are making better judgements—to be fair, perhaps more cautious judgements—now that they know the kind of care available in London.

One of the problems is the doctors now know a lot more about what can and cannot be done in London. Where they have even the slightest indication facilities and beds are available, they are tending to move their patients in there. We are trying to sort that through. I might say we are getting a great deal of co-operation from UH, Victoria and all the doctors in the area as we try to sort out exactly what has happened there.

I want to reconfirm our commitment to putting the necessary amount of ICU and CCU beds in that area. As the member knows, recently we opened some beds in Windsor to reaffirm our commitment, and that situation in London will be reviewed.

3:50 p.m.

Ms. Copps: Mr. Speaker, while the minister is looking at the issue of potential bed shortages in the city of London, I wonder if he would also include a response to the Brampton, Mississauga and District Labour Council, which wrote to him recently with a copy to the Premier (Mr. Davis) about the problem of potential bed shortages in Brampton.

As well, would the minister respond to some 50 hardship cases in Ajax which have been tabled? These have been brought to his attention and to that of the member for the area, and

are a call for an increase of beds for that area. A number of sources have told them that they cannot expect any hospital bed expansion until the 1990s.

Hon. Mr. Grossman: Mr. Speaker, my colleague the Minister of Revenue (Mr. Ashe) has spoken to me many times about that situation. I hope shortly to be able to indicate what steps we shall take to alleviate the bed pressures in Ajax and, of course, other high-growth areas west of Toronto. There is no question about the pressures being put on both areas due to population growth.

In the case of Peel, we acknowledge the need for more beds. Again, that is past the study stage and at the point at which I think we will be able to indicate a further expansion of Peel Memorial Hospital.

SUBSIDIZED RENTAL HOUSING

Mr. Gordon: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. Will the minister give us a commitment today to take advantage of the inherent flexibility built into the rent supplement program to lever more apartment units for those in dire need of rental accommodation in Sudbury? At the present time, we have the intolerable situation of 196 families being in the dire-need category with the Sudbury District Housing Authority.

Hon. Mr. Bennett: Mr. Speaker, I am at the moment reviewing, with the Sudbury District Housing Authority, the rating system in relation to the 196 families or thereabouts who require units.

I am aware that in the Sudbury area a number of units which are currently owned by Canada Mortgage and Housing Corp. are for sale, but have been repossessed. We will commence to negotiate with CMHC the possibility of using some of those units for our rent supplement program. I offer to the members of this House that, while the situation in Sudbury as described by the member for Sudbury (Mr. Gordon) is important, we have the same problem in several other communities.

I re-emphasize that, if we are to try to respond to the needs of those communities, it will be because we have a federal-provincial co-operative program. If I can get a further allocation of units from the federal government through CMHC, we shall be able to respond in a positive way to the needs in those communities to a greater degree than we are able to do at the moment.

I shall again attempt to negotiate with Mr.

LeBlanc some further allocation, in the case of Sudbury in particular, and for some of the other communities where we have a high waiting list requirement for publicly assisted units.

Mr. Gordon: Is the minister aware that in Sudbury we have 3,000 workers in the resource field who were laid off and, of course, many of those workers now are receiving unemployment insurance? Some of them will find themselves on welfare shortly and are going to be in dire need of housing. I ask the minister if he is prepared really to go after the federal people to provide the funds and help that is necessary.

Interjections.

Mr. Gordon: I see the New Democrats are taking issue with me and are laughing at the problems of the people of Sudbury.

Mr. Speaker: Order.

Mr. Gordon: I might say to those New Democrats who are laughing at these people that, if they think they are the only people who can talk for their constituents, I have to tell them they are all wrong.

Mr. Speaker: Will the member for Sudbury please resume his seat?

Interjections.

Mr. Speaker: Order.

Mr. Martel: Mr. Speaker, on a point of order: When I got up and engaged in this sort of thing—you can check the record—you suggested I was going to find my way out.

Mr. Speaker: No, I did not.

Mr. Martel: Yes, Mr. Speaker, you certainly did. You said, "This is the last time I am going to tell the member for Sudbury East." You might do the same to your side of the House.

Mr. Speaker: With all respect—

Mr. Martel: No, not with all respect.

Mr. Speaker: You have been warned so many times.

Mr. Martel: You play that game all the time.

Mr. Speaker: I did call him to order; the honourable minister.

Hon. Mr. Bennett: Knowing the great understanding that northerners have among themselves regardless of their political allegiance, and knowing there are members from Sudbury representing other political causes in the federal government, I suggest that the member for Sudbury and the member for Sudbury East (Mr. Martel) might like to approach the federal minister who represents that part of Ontario, Judy Erola, and ask her if she would like to give

them some help in trying to secure from Mr. LeBlanc an extra allocation for Sudbury. Knowing the importance of that allocation, Elie, you and Jim could get together, and I am sure between the two of you, could impress upon Judy the importance of this extra allocation.

Mr. Martel: Mr. Speaker, did you hear that? He addressed me by my first name. Are you prepared to tell him what you told Bob Rae yesterday?

Mr. Speaker: I think all honourable members are well aware they must refer to the members by the names of their ridings and not by the names of the members. I point that out to the minister.

Mr. Martel: Mr. Speaker, you only notice when it is from this side of the House.

Hon. Mr. Bennett: I ask the record be so corrected.

Mr. Speaker: Thank you.

Mr. Speaker: The time for oral questions has expired.

Hon. Mr. Ashe: Finally.

Mr. Speaker: Many minutes ago.

MEMBERS' PRIVILEGES

Mr. Gordon: Mr. Speaker, on a point of order: The point I would make is that, given the fact the New Democrats laughed when I brought up the business of 3,000 workers receiving unemployment insurance in Sudbury, I think it is about time the member for Sudbury East met with me to see what is wrong.

Mr. Speaker: That is not a point of order. Will the member for Sudbury resume his seat, please?

Mr. Martel: Here we go again.

Mr. Speaker: Yes, but he is a new member, and you are not.

Mr. Martel: I know. He is a slow learner.

ASSISTANCE TO FARMERS

Mr. Riddell: Mr. Speaker, on a point of privilege: I want to make this point of privilege while the Minister of Agriculture and Food (Mr. Timbrell) is still within hearing distance. The minister has led us to believe that before this session ended, he would be making an announcement about the beginning farmers' program and, accordingly, my colleagues and I have been conveying that same message to the farmers right across the province.

It is my understanding we are heading for adjournment, perhaps today, and the minister still has not made an announcement about the

beginning farmers' program. Many of these young farmers are holding off on the closing of their deals with the Farm Credit Corp. until they find out what the minister has in mind in connection with the beginning farmers' program. Could we hear something today, assuming we may not be back on Thursday?

Hon. Mr. Timbrell: Mr. Speaker, I am pleased to deal with the point of privilege or order; I am not sure which. I was speaking with one of his colleagues.

Mr. Speaker: It was neither, really.

Hon. Mr. Timbrell: We covered the matter in estimates last Wednesday afternoon. I shared with the member the fact that the cabinet of this province approved our proposals two weeks ago, and we are waiting on the approval of the federal Minister of Agriculture to conclude our discussions with the Farm Credit Corp. When we have that finished, I will announce all the details.

The most important question the member has been asking me is the effective date of the program. I told him last week; it is May 10, the date of the budget.

TELEVISION IN LEGISLATURE

Mr. Martel: Mr. Speaker, on a point of order, a point of information or a point of interest: Will the Speaker take note that our friends who led the fight for television coverage, once again left shortly after the two leaders raised their questions. I draw that to your attention, because they led the fight for television coverage and they are never here to provide that television coverage.

Mr. Speaker: I am sure that those responsible will take note of that.

Mr. Foulds: Mr. Speaker, on a point of order: I would like you to rule on the last exchange between the member for Huron-Middlesex (Mr. Riddell) and the Minister of Agriculture and Food. Was that a point of order or an extension of question period?

Mr. Speaker: As I said, and the member obviously missed it, it was neither. It was not a point of privilege. It was not a point of order. However, it was a point of interest. I think the honourable member rose on a point to—

Mr. Wildman: He asked a question.

Mr. Speaker: No, he did not ask a question.

Mr. Breaugh: It sure sounded like it.

Mr. Speaker: He phrased it very carefully;

that the minister had said a statement would be made before the House adjourned. The minister consequently explained his actions.

4 p.m.

MOTIONS

COMMITTEE SITTINGS

Hon. Mr. Wells moved that the following committees be authorized to meet during the summer adjournment in accordance with the schedule of meetings agreed to by the three party whips and tabled today.

The standing committee on social development, to consider Bill 42 and the annual report of the Ministry of Community and Social Services; the standing committee on resources development, to consider the document, Reshaping Workers' Compensation for Ontario, and the government of Ontario white paper on the Workers' Compensation Act; the standing committee on public accounts; the standing committee on procedural affairs; the select committee on the Ombudsman; the standing committee on members' services, and the standing committee on regulations and other statutory instruments.

Hon. Mr. Wells: Mr. Speaker, I might indicate that when this House does adjourn for the summer there will be approximately 95 private members engaged in committee work. It will total something like 345 hours of work. As I have indicated, there are a number of committees embarking on very important studies. They will be looking at bills, they will be working on the workers' compensation reports, and so forth.

Motion agreed to.

AUTHORIZATION TO TRAVEL

Hon. Mr. Wells moved that the following committees be authorized to travel during the summer adjournment. The select committee on the Ombudsman, to Vancouver, BC, the week of September 11, 1983; the standing committee on members' services, to Victoria, BC, the week of August 28, 1983; the standing committee on procedural affairs, to Washington, DC, the week of October 2, 1983; the standing committee on public accounts, to Washington, DC, the week of October 2, 1983; and the standing committee on social development, to adjourn from place to place in Ontario, if required, during one week in the period September 9 to October 7, 1983.

Motion agreed to.

INTRODUCTION OF BILLS

EXECUTIVE COUNCIL AMENDMENT ACT

Hon. Mr. Wells moved, seconded by Hon. Mr. Gregory, first reading of Bill 77, An Act to amend the Executive Council Act.

Motion agreed to.

Hon. Mr. Wells: Mr. Speaker, the purpose of this bill is twofold. It brings up to date and changes the names of the ministries listed under the act and it also provides, in accordance with the recommendation of the Commission on Election Contributions and Expenses and in conformity with the Inflation Restraint Board, increases for various ministers, etc., of 4.86 per cent.

LEGISLATIVE ASSEMBLY AMENDMENT ACT

Hon. Mr. Wells moved, seconded by Hon. Mr. Gregory, first reading of Bill 78, An Act to amend the Legislative Assembly Act. Motion agreed to.

Hon. Mr. Wells: Mr. Speaker, this bill does several things. It changes the remuneration for members of the assembly and others who have special responsibilities, again in accordance with the recommendation of the Commission on Election Contributions and Expenses and in conformity with the Inflation Restraint Board. The indemnity is raised by 4.86 per cent and the expense allowance by five per cent.

The bill also provides that the Board of Internal Economy can handle matters such as travel allowances, mileage and things like that. It also provides for a procedure for dealing with disciplinary matters and grievances for the staff of the Office of the Assembly.

GOVERNMENT ADVERTISING CONTROL ACT

Mr. Foulds moved, seconded by Mr. Philip, first reading of Bill 79, An Act respecting Advertising by Governmental Organizations.

Motion agreed to.

Mr. Foulds: Mr. Speaker, the purpose of the bill is to control the type of advertising placed by the government of Ontario in broadcasting and print media. The bill prohibits the placement of advertisements by the government of Ontario that have the effect of promoting, directly or indirectly, the political party to which the members of the executive council belong.

The bill authorizes the Commission on Election Contributions and Expenses to receive and inquire into complaints concerning government advertising. If the commission determines that a government advertisement does, directly or indirectly, promote the political party to which the members of the executive council belong, the government of Ontario must immediately withdraw the advertisement from further use.

ELECTION FINANCES REFORM AMENDMENT ACT

Mr. Foulds moved, seconded by Mr. Philip, first reading of Bill 80, An Act to amend the Election Finances Reform Act.

Motion agreed to.

Mr. Foulds: Mr. Speaker, the purpose of this bill is to prohibit advertising by the government of Ontario during the course of the provincial election campaign. The bill contains exemptions from the general prohibition for advertising related to the administration of the election and advertising required for emergency purposes.

The purpose of both these bills is to end the crass use of government advertisements by the Conservative Party.

4:10 p.m.

ELECTION FINANCES REFORM AMENDMENT ACT

Mr. Philip moved, seconded by Mr. Foulds, first reading of Bill 81, An Act to amend the Election Finances Reform Act.

Motion agreed to.

Mr. Philip: Mr. Speaker, the bill is intended to clarify that municipal corporations are not entitled to make contributions under the act. This will close the loophole in the act by which the taxpayers of the city of Peterborough made contributions to the fund-raising dinners of the member for Muskoka (Mr. F. S. Miller) and the member for St. Andrew-St. Patrick (Mr. Grossman).

EMPLOYMENT STANDARDS AMENDMENT ACT

Ms. Bryden moved, seconded by Mr. Macenzie, first reading of Bill 82, An Act to provide for Equal Pay for Work of Equal Value.

Motion agreed to.

Ms. Bryden: Mr. Speaker, the purpose of the bill is to repeal part IX of the Employment Standards Act entitled "Equal Pay for Equal

Work" and replace it with a new part IX entitled "Equal Pay for Work of Equal Value."

The bill requires an employer to pay his or her male and female employees equal amounts for work of equal value. An assessment of the value of work performed may be made by an employment standards officer. In assessing the value of work performed by employees employed in the same establishment, the criterion to be applied is the composite of the skill, effort and responsibility required in the performance of the work and the conditions under which the work is performed. The reduction of wages to achieve compliance is prohibited.

Complaints under part IX may be made by an employee, a class of employees, or an employees' organization. An equal right of appeal for employers and employees from orders made by an employment standards officer under part IX is provided.

VDT OPERATORS' SAFETY ACT

Mr. R. F. Johnston moved, seconded by Mr. Wildman, first reading of Bill 83, An Act for the Protection of Video Display Terminal Operators.

Motion agreed to.

Mr. R. F. Johnston: Mr. Speaker, this is a reintroduction of Bill 18 which we debated in the last session and which has been cleverly amended to make it impossible for the Minister of Labour (Mr. Ramsay) not to adapt it for his own purposes and bring in regulations to protect video display terminal operators in Ontario.

Mr. Charlton: Mr. Speaker, I move, seconded by the member for Cornwall (Mr. Samis), that leave be given to introduce the member for Sudbury East (Mr. Martel).

Mr. Speaker: Carried.

Mr. Martel: Mr. Speaker, as I move to introduce my bill, I would ask you to inform the House that I did move this bill in 1980-81, but a year in this place is so happy it goes by without us knowing it.

Mr. Speaker: I would be happy to so inform the House.

ONTARIO LAND INFORMATION ACT

Mr. Martel moved, seconded by Mr. Renwick, first reading of Bill 84, An Act respecting a Register of Ontario Land Information.

Motion agreed to.

Mr. Martel: Mr. Speaker, the purpose of the bill is to authorize the creation of a public register showing the ownership of all privately

held land in Ontario, the use of the land and whether its owner is a resident or nonresident of Canada. Every owner, purchaser or vendor of an interest in land in Ontario would be subject to a recording requirement, and maybe at last we would find out who owns Ontario.

EASTERN PENTECOSTAL BIBLE COLLEGE ACT

Mr. Pollock moved, seconded by Mr. MacQuarrie, first reading of Bill Pr34, An Act respecting Eastern Pentecostal Bible College.

Motion agreed to.

ORDERS OF THE DAY

THIRD READINGS

The following bills were given third reading on motion:

Bill 58, An Act to amend the Municipal Act.

Bill 64, An Act respecting certain Health Facilities.

Bill 66, An Act to amend the Workers' Compensation Act.

UNITED NATIVE FRIENDSHIP CENTRE ACT

Mr. T. P. Reid moved second reading of Bill Pr18, An Act to revive the United Native Friendship Centre.

Motion agreed to.

Third reading also agreed to on motion.

4:20 p.m.

BERNARD BETEL CENTRE FOR CREATIVE LIVING ACT

Mr. Cousens moved second reading of Bill Pr20, An Act respecting the Bernard Betel Centre for Creative Living.

Motion agreed to.

Third reading also agreed to on motion.

STAR OF PROGRESS SPIRITUAL CHURCH ACT

Ms. Fish moved second reading of Bill Pr23, An Act to revive the Star of Progress Spiritual Church.

Motion agreed to.

Third reading also agreed to on motion.

MORTON TERMINAL LIMITED ACT

Mr. Newman moved second reading of Bill

Pr27, An Act respecting Morton Terminal Limited.

Motion agreed to.

Third reading also agreed to on motion.

ANDONALD ENTERPRISES LIMITED ACT

Ms. Fish moved second reading of Bill Pr29, Act to revive Andonald Enterprises Limited.

Motion agreed to.

Third reading also agreed to on motion.

ST. AUGUSTINE'S SEMINARY OF TORONTO ACT

Mr. Robinson moved second reading of Bill Pr35, An Act respecting St. Augustine's Seminary of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

PUBLIC SERVICE SUPERANNUATION AMENDMENT ACT

Hon. Mr. Wiseman moved second reading of Bill 65, An Act to amend the Public Service Superannuation Act.

Mr. Breithaupt: Mr. Speaker, I presume the minister does not have a particular statement with respect to this bill.

Mr. Speaker: Does the minister have an opening statement?

Hon. Mr. Wiseman: Mr. Speaker, perhaps if I were to read this it would eliminate any questions the members may have. This amendment deletes the requirement from section 20 of the act that a survivor spouse's pension terminates upon his or her remarriage. It is in line with a similar amendment made in March 1983 by regulation under the Power Corporation Act, which deleted a similar provision in the Ontario Hydro pension and insurance plan.

The same type of amendments have also recently been made to British Columbia and to Quebec pension plans. The amendment is retroactive as far as eligibility is concerned, so that any spouse whose allowance has been discontinued in the past because of his or her remarriage, can apply to have it reinstated. The payments would recommence effective the first day of the month following royal assent and would be in the same monthly amounts that they would have been had they not been discontinued. In other words, the recipients will receive the same inflationary adjustments as pension persons whose allowance has not been discontinued.

We estimate that a maximum of 414 pensions have been terminated because of remarriages in the past 20 years, and we can expect that because of deaths, etc., only about 75 per cent of them will apply for reinstatement. The ongoing annual costs of this will be approximately \$858,800 plus some additional administrative costs.

In cases where payments are currently being made to a deceased pensioner's children because of the remarriage of his widow, these children will not be cut off but will continue to receive allowances until they are 18 or, if they are still being educated on a full-time basis, until they are 25. This, of course, will result in a double payment being made for a time in some cases.

Subsection 20(8) has been amended to make it clear that only the child or children of the original pensioner receive the survivor's allowance and not the children of his widow's second marriage.

There will be no restrictions upon a remarried spouse receiving more than one pension if he or she survives two superannuated marriage partners. There will also be no reduction or adjustment to the allowances where a payment has been made to a deceased contributor's estate because of a remarriage of his or her spouse. The aim of this amendment is to treat pensions as property earned by the contributor rather than as instruments of social policy.

This may answer some of the questions of the member for Erie (Mr. Haggerty), who had to leave and go back to his riding, about the age of children and whether children were involved in the legislation.

I understand the member for Kitchener (Mr. Breithaupt) will be saying something on this subject. I refer him to pages 16 and 18 of the Public Service Superannuation Act, which deals with children up to the age of 18 who are not attending school and makes reference to the payment for children up to the age of 25 when they are being educated in colleges or universities.

I should mention that many members have got in touch with me and the Chairman of Management Board and others about this amendment. There was one woman who wrote quite a few times, and I am sure she will be quite happy to see this go through. She is a Mrs. Ruth Holmes of London. The Minister of Industry and Trade (Mr. Walker) has talked to me on many occasions about this woman.

It is a good amendment and I hope the members will support it.

Mr. Breithaupt: Mr. Speaker, I am pleased to rise in support of this bill. As the minister mentioned, my colleague the member for Erie had to return to his constituency this afternoon and asked me to attend to make some comments on this bill on his behalf.

When we look at the throne speech that opened this session, it was interesting to read on page 16 of that speech one brief paragraph which I will refresh the members' memories with. The paragraph read by His Honour was as follows:

"The Public Service Superannuation Act will be amended to eliminate the unfair practice of discontinuing a survivor's pension upon remarriage. This change will apply retroactively to those individuals, mostly women, who have been inadvertently penalized by the current provisions."

That commitment by the government was certainly welcome, because in that throne speech it was about the only specific proposal that was placed before this Legislature by the government opposite. Now we have the legislation before us and it certainly is worthy of support.

4:30 p.m.

It was interesting to note that the minister suggested there have been some 400 persons involved in this situation over the past 20 years. The question I would ask to have some elucidation upon would be how the minister proposes to contact and advise all those who may have been cut off in this situation so their particular rights can be revived. This is an area that the minister's opening statement did explain to some degree. I recognize that the particular questions asked by my colleague the member for Erie and some of his concerns were addressed in the minister's opening statement.

We welcome the legislation because it is an area where some hardship will have occurred and where persons really have been dealt with unfairly. Now that we see the government moving to correct those circumstances, it is indeed welcomed by the opposition. However, there is one area that does interest me, and that is the procedure for contacting persons. If the minister can briefly address this in his remarks, I believe there will be no further requirement and the bill can be approved promptly.

Mr. Philip: Mr. Speaker, we welcome this bill. The bill recognizes a basic principle, namely, that a pension is property that has been earned by an employee and that it should be treated as a

firm asset belonging to that employee or, after his or her death, to those who represent him.

This amendment is consistent with the feeling of the select committee on pensions, which recommended in its final report in 1982 that a change in the surviving spouse's marital or economic status should not alter the spouse's entitlement to the pension. I think this is a basic principle that is being followed in this bill.

We have all read about numerous cases of injustice before this bill's coming into force. One of the most glaring cases was the one in London, which the minister referred to, where a woman had been married to a public servant who passed away. She began to receive the pension, and then she remarried and lost it. This person married another former public employee, and he passed away; but she was not eligible, because she had married him after he had retired.

In this case the individual suffered double jeopardy and, as a result of this bill, even though it is not retroactive, this same person at least will receive a pension from now on. So we will support the bill and we welcome it.

Ms. Bryden: Mr. Speaker, I am very pleased the government has finally recognized that this particular provision in the present act discriminated against and penalized women in most cases. It is another small step the government is taking towards bringing about equality for women and removing discriminatory clauses.

I hope, though, that it is only the beginning of action by the government to remove many other discriminatory situations that affect women in this province, and I hope the government will not consider that long-overdue legislation is the real answer to many of the problems.

The bringing in of the drop-out clause after many years of resisting it is something this province should be apologizing for, because they kept women waiting so long. In addition, this particular piece of legislation has required amendment for many years. I hope this is only the beginning of a recognition by the government that there are many discriminatory sections in our legislation that need to be reviewed and revised.

Hon. Mr. Wiseman: Mr. Speaker, I thank the honourable members for their comments.

I would like to say to the member for Kitchener, who asked how we would notify these people, that it will be up to the surviving spouse to get in touch with us. We will advertise, but we have no way of checking to see whether the 412 people are alive at this time. I am sure that once

this becomes public through some advertising, people who have a claim against this—some of those 412—will come forward and be reinstated.

I thank the member for Etobicoke (Mr. Philip) for his comments. I appreciate the comments of the member for Beaches-Woodbine (Ms. Bryden), but I would just like to tell her that this legislation does apply to men and women. I know she was concerned with the women; but just in case someone misunderstood it, it does apply to men as well, so it is very equal and very fair. I do appreciate her comments and I am glad she supports the amendment.

Motion agreed to.

Third reading also agreed to on motion.

RETAIL SALES TAX AMENDMENT ACT

Hon. Mr. Ashe moved second reading of Bill 73, An Act to amend the Retail Sales Tax Act.

Hon. Mr. Ashe: Mr. Speaker, this bill implements the announcement on June 17 by the Treasurer (Mr. F. S. Miller) that extends to November 7, 1983, from the previous date of August 8, 1983, the appliances that were given a temporary exemption in the May budget of the Treasurer.

Because there seemed to be a little confusion in some parts of the media after the Treasurer's announcement last week, I think it is only fair to make sure it is on the public record that there is no extension to the period of time when the appliances can be purchased. They still must be purchased on or before August 8, 1983, though the delivery period has now been made coincident with that made for the purchase of other household furniture, as announced in the same budget.

We are pleased to bring forth this piece of legislation. It indicates the wisdom and the acceptance of that portion of the Treasurer's budget, and it will be one further stimulus in the Ontario economy in the next short period of time.

Mr. T. P. Reid: Mr. Speaker, we agree.

Mr. Breaugh: We too, Mr. Speaker.

Motion agreed to.

Third reading also agreed to on motion.

4:40 p.m.

EXPROPRIATIONS AMENDMENT ACT

Hon. Mr. McMurtry moved second reading of Bill 72, An Act to amend the Expropriations Act.

Mr. Breithaupt: Mr. Speaker, I realize this bill is not printed. Could I have at least a typescript copy of it? It would be helpful.

The Deputy Speaker: What is it called?

Mr. Nixon: Mr. Speaker, on a point of order: I might as well say it now rather than supposedly on the principle of the bill. I am sure you would agree that our sessions hardly would be complete if the Attorney General did not shamble in during the last 10 minutes and suggest to the government House leader (Mr. Wells) that a bill that is not even printed, has not been brought before any caucus, should be passed immediately. He looks deeply into the eyes of the Attorney General's critics on each side, they exchange significant glances and away it goes.

I asked him for a copy and he sent me over a typescript copy.

The Deputy Speaker: What is it called again?

Mr. Nixon: The Expropriations Amendment Act, 1983.

I am sure, like most of the things the Attorney General does, it is completely innocuous. I do not think there is any problem at all with proceeding with it, but surely he must have a little more respect for his House leader, who has been working very hard to get the business of the House ordered in such a way that we can get to the end without some of the sensitive people in the opposition getting up and venting what is almost rage.

I do not suppose it really matters what we do about this, but it could have been the vehicle for some sort of discussion about the Land Compensation Board, which has worked so effectively and which the minister is now dissolving in that great morass of the Ontario Municipal Board, which is taking on more and more of its responsibilities. I guess we do not have any objections officially, but I have some personally.

The Deputy Speaker: That is a point of order. Do you want to speak to second reading now?

Mr. Nixon: No.

The Deputy Speaker: Does anyone want to speak to second reading of this bill that is not printed?

Mr. Breithaupt: Mr. Speaker, the only comments I would make with respect to this bill are to deal with the matter of the amalgamation of the membership, which had been done by cross-appointment, and to raise some concerns with respect to the staff appointments of those civil servants who are and have been working

for the Land Compensation Board and for the Ontario Municipal Board.

As the Attorney General mentioned in our brief discussion during the question period, the purpose of these amendments is to clarify, as I understand it, some concerns which the chairman of the Ontario Municipal Board has as to the propriety and authority of certain members sitting on particular matters. To resolve that concern, this amendment is before us, and it is one I am prepared to accept.

I agree with the comments of my House leader concerning the opportunity we might have had to discuss the activities of the Land Compensation Board and to see the projections as to the benefits that are to be received by the people of Ontario as a result of the amalgamation and cross-posting of the various persons who are involved in this situation. The Ontario Municipal Board, however, is to continue after this experience of a separate Land Compensation Board fades into the memory of our collective legislative conscience.

I would appreciate hearing from the Attorney General in particular on the matter of the protection and involvement of staff personnel who had been working for the Land Compensation Board. Interestingly enough, a week or so ago I received a call from a person involved with the Land Compensation Board, inquiring as to whether the Liberal opposition was going to support this legislation. Of course, at that time my only response was that we had not seen the legislation as yet; however, in the absence of any comments one way or the other, the bill likely would go through the Legislature.

The person who called me mentioned that there were concerns among some members of the staff as to their job retention and their circumstances, and I agreed that I certainly would at least raise this point to have the Attorney General clarify what the expectations are for those persons who have been involved as civil servants working on the staff of the Land Compensation Board.

If that is resolved, then obviously we have no further comment to make on the amalgamation itself. This has become a matter of government policy, which changes from time to time, since those days when the Land Compensation Board was first formed as a bold new experiment to have particularly qualified persons deal with the mathematical results, shall I say, as compared with the Ontario Municipal Board's more traditional involvement in the review of certain bylaws and certain other municipal activities.

There was the attempt to divide these responsibilities, I hope in the name of efficiency and in the name of specialization. Now we find this example has drawn to an end. I would appreciate hearing from the Attorney General as to his expectations of the operation of this new organization once the Land Compensation Board is no more as a result of this amendment.

We are prepared to accept the amendment. I look forward to having the Attorney General's comments on the points I have raised.

Mr. Renwick: Mr. Speaker, we in this caucus support the bill as put before us. Actually, it gives effect to what took place a couple of years ago, when all of the appointments were cross-appointments interchangeable between the two boards, and it is now time to consolidate the activities of the Land Compensation Board formally in the Ontario Municipal Board.

One must not think for a moment, of course, that this will make any really significant or substantial change. The work of the Ontario Municipal Board not only is in a state of disarray but also has very substantial arrears. I have no objection, nor do members of my caucus, with whom I spoke this afternoon at the urgent request of the Attorney General, to the fact that the bill be dealt with this afternoon. But the bill, of course, will not solve any of the problems.

Fortunately, we are in the midst of the Attorney General's estimates, and either later on this week, should the House still be in session, or early in the resumed session in the fall we will have an opportunity to discuss the work of the Ontario Municipal Board, particularly with respect to the vexed questions of the immense arrears of assessment appeals before that board.

It is, as the member for Brant-Oxford-Norfolk (Mr. Nixon) had to say, an innocuous piece of legislation. It will not affect the world in any real sense, except with regard to the point made by my colleague the member for Kitchener, and that is the concern, which I expressed to the Attorney General, that he give this House an accurate and complete assurance there will be no loss of employment as a result of the passage of this bill. I cannot conceive that there would be a loss of employment, considering that the board has so much work and the number of the members of the board is in the process of being increased, as I understand it, and I am sure he will be readily able to give that assurance to us.

Mr. Conway: Are you available for for some work?

Mr. Renwick: Frankly no, I am not; I would not want any misunderstanding about that. The last place I would like to go is the Ontario Municipal Board. I would rather stay here; it is much more stimulating, particularly the stimulation of an afternoon such as this, and the debate on such a bill as this.

4:50 p.m.

Mr. Speaker, it is with something less than enthusiasm, but it is with the agreement of the New Democratic Party; we agree on the passage of this bill this afternoon.

Hon. Mr. McMurtry: Mr. Speaker, I would like to express my appreciation to the members opposite for their co-operation in dealing with this legislation at this time. I would also like to apologize to them for shambling in at the last moment, as the distinguished member for Brant-Oxford-Norfolk has pointed out.

I know I will be expressing the appreciation of the hardworking chairman of the Ontario Municipal Board, Mr. Henry Stewart, who called today requesting I approach the opposition party with a view to early passage of the bill. He indicated that although for all practical purposes the boards had been amalgamated since October 1981, as the member for Riverdale (Mr. Renwick) has pointed out, there is a problem with respect to quorums that will be solved with this legislation.

It will assist in a resolution, to some modest extent at least, of the problems of backlogs raised by the member for Riverdale inasmuch as they can have a better allocation of board members with respect to dealing with the backlog.

The passage of this legislation will not affect any of the employees of the two boards. No one will lose his job as a result of the passage of this legislation.

Again, I would like to thank the members opposite for their spirit of co-operation in the public interest.

Motion agreed to.

Third reading also agreed to on motion.

The Deputy Speaker: Are there any more surprises?

LABOUR RELATIONS AMENDMENT ACT

Hon. Mr. Ramsay moved second reading of Bill 62, An Act to amend the Labour Relations Act.

Hon. Mr. Ramsay: Mr. Speaker, two weeks ago today I spoke at some length about the rationale for introducing an expressed prohibi-

tion against professional strikebreaking into the Labour Relations Act.

The proposed amendment is in keeping with the government's commitment to incremental legislative reform to meet emerging problems which threaten labour-management stability in this province.

Other provinces have preceded Ontario in enacting legislation to prohibit the disruptive influence of third parties during labour disputes. However, this bill before the House is unique. It is at once a measured and innovative response to the problem of professional strikebreaking.

The protection afforded by the proposed section 71a is twofold:

First, the section creates an offence based upon particular strike-related misconduct, whether perpetrated by an employer, an agent of an employer or a striking employee. The act also creates what may be described as the status offence of professional strikebreaking.

A person who is not a party to a labour dispute, but whose primary object is to interfere with the exercise of rights during the dispute, is a professional strikebreaker for the purposes of the section. I have referred to this provision as a status offence because a person's primary objective can be deduced from statements or representations, as well as inferred from actual conduct.

The bill affords protection proportionate to the apparent mischief caused by the interference of certain security firms with the rights of trade unions and their members. It does not prevent an employer from continuing to operate during a lawful work stoppage, nor does it prevent the employer from retaining the services of a security firm to protect its property or personnel during a labour dispute.

The bill is simply intended to prohibit provocative and disruptive conduct which holds the potential for escalating disputes and prolonging their resolution.

Once again, I believe this proposed legislation illustrates the government's determination to create and maintain the conditions necessary for stable and effective collective bargaining relationships in this province.

Mr Wrye: Mr. Speaker, our party will gladly support the amendment and the legislation proposed by the Minister of Labour. For our part, we can only say it is long overdue.

I want to make a few remarks because, as the minister knows, we will ask that the bill go to the committee of the whole House and we will be

moving some amendments because we believe the present wording of Bill 62, in a number of cases, is a little too narrow and could cause some problems.

Basically, this bill creates three new offences: engaging in strike-related misconduct, retaining the services of a professional strikebreaker and acting as a professional strikebreaker.

The first offence does not speak of a particular person, but rather of particular behaviour. It is not directed at strikebreakers per se. It is illegal for anyone, and not only strikebreakers, to engage in strike-related misconduct. Thus, it is behaviour itself which is now offensive.

The definition of strike-related misconduct, however, really has two critical components. I submit both are quite deliberate in terms of the drafting of this legislation. First, while the course of conduct described is quite broad and even includes the catch-all, to quote the bill, "or any like course," it should be noted that the conduct must be intended—and I emphasize the words must be intended—to interfere. The reference to specific intention is significant because it introduces a criminal law concept in this legislation.

It is not enough for the course of conduct to have resulted merely in an obstruction or interference, for example. Those results must have been specifically intended from the very beginning of the activity. That may seem to be merely a legal distinction, but I submit it is not.

I draw the attention of the members to the experience of the hate propaganda section of the Criminal Code where this very situation has resulted because of the judicial interpretation given by the courts to the term "intended." If the wording remains as it is, a nonprofessional strikebreaker engaged in strike-related misconduct will have a good prima facie defence merely by alleging and raising evidence to the effect that he did not specifically intend his surveillance to interfere with the right under this act.

At the appropriate time, we will propose a specific, simple amendment of the section to insert the word "that" in place of "intended to" and alter the verb tenses accordingly. In our judgement, that is an effective way to pre-empt the problem.

The other problem is that strike-related misconduct must occur in anticipation of, or during, a lawful strike or lockout. In other words, misconduct such as infiltration and surveillance, though it may be reprehensible or repugnant,

will not be caught by the section unless it occurs in anticipation of or during a strike.

Some may argue the act provides other remedies for unfair practices during nonstrike-related situations. But this is not necessarily true in all cases of misconduct; the activity of surveillance comes to mind. Thus we regret the definition, in these terms, is so narrow.

The second offence created through this legislation, retaining the services of a professional strikebreaker, is in our belief a little weak because the term "retain" is not defined. I wonder whether this will cause problems. It has, for example, a precise meaning in the legal context requiring, among other things, the exchange of funds. If this meaning were applied, there might conceivably be problems in cases where no obvious consideration of funds has been exchanged. To avoid those problems at the appropriate time we propose that the term "use" should replace the term "retain."

5 p.m.

The third offence makes it unlawful to be a strikebreaker. On the surface, it appears to be quite hard-hitting, but on examination of the definition of a strikebreaker, we again see two potential weaknesses.

The first is the term "primary object" and the problem is the question as to whether the prohibited behaviour is the person's primary object. For example, what if the gathering of industrial intelligence is the primary object and the disruption that the act and the amendments speak of is the secondary object? This defence seems to me to be now available.

The effect of the phrase "primary object" is to allow casual strikebreakers on to the premises. However, in my view, a better phrasing than "primary object" would be the insertion of the words "who purposefully" in place of "whose primary object in the board's opinion."

That leads me to the second concern I have about the definition and that is "in the board's opinion." Our concern is there must first be a determination by the board before the course of conduct is proscribed. This in turn means there must be a complaint by a party to the dispute. This will involve an expenditure of time and money before the repugnant behaviour this bill seeks to remedy is prohibited. It seems to me there should be a presumption that such behaviour is bad.

We have those concerns, but I want to say in support of the bill, and the general sense and principle of the legislation, that it is long overdue. I note with some interest that in the

compendium to the bill the results of the Ontario Labour Relations Board findings in the Securicor and Automotive Hardware situation are appended in their entirety.

It is very interesting to me and my colleagues that, in its decision, the board would start out by pointing to the preamble to the Labour Relations Act:

"It is in the public interest of the province of Ontario to further harmonious relations between employers and employees by encouraging the practice and procedure of collective bargaining between employers and trade unions as the freely designated representatives of employees."

I am sure we are all familiar with that and it seems to me this gets us back on the road to having that harmonious relationship. Clearly it is not, and cases like Automotive Hardware prove it, in the best interests of the employees—in this case members of the United Steelworkers of America—to have had the kind of infiltration and disruption of their activities as has been noted in this one case, and has happened in other cases.

I would argue it is also not in the best interests of the employers of Ontario. In this case, and I think it is a significant one, the strike dragged on for some additional period of time because of the activities of those professional strikebreakers. As a result, I think it is fair to suggest that firm was unnecessarily hurt by the activities of the strikebreaking firm.

We are pleased the government has finally come forward with a proposal to end categorically this repugnant practice in the province. We will support the legislation in principle, and we will attempt to propose improvements which I hope the minister will accept when we get into committee.

Mr. Mackenzie: Mr. Speaker, we will support the bill that is before us, Bill 62. I want to congratulate the government and the minister on finally recognizing the enormity of the problem we have had in Ontario in terms of the activities of firms such as Securicor. We hope we are not dealing with just symbolism or a perception of the answer being the reality in terms of this bill. We do not think the bill is what it should be. It is not nearly strong enough and it is not the bill we would have brought in. I want to make that clear.

If one is going to have fairness in a legal strike situation in this province, one has to have legislation such as Quebec has decided on that prevents the taking of another man's job in a legal strike situation. It is as simple as that.

There is also the moving of materials in or out of a plant.

I think it was the list of events, including Central Precision and culminating with the Automotive Hardware OLRB decision, that finally outlined the plain and simple truth of harassment, infiltration, suggestions of committing illegal and even criminal acts, that probably made the case come to the point where this government could no longer refuse to bring in legislation.

Perhaps it was also some of the questions being raised and what was going on in a number of other strike situations—Central Precision obviously being one of them—where the unfairness of the situation was underlined. There was a legal strike situation of a number of employees who, I think, typified the best employees in Ontario in terms of their honesty, their hard work, and their own family and personal backgrounds.

Yet some 27 of the 110-odd employees ended up being arrested as a result of information charges by Securicor. It effectively removed the effective leadership from that picket line situation, by very minor charges in most cases.

The incident yesterday in the Viceroy Rubber and Plastics Ltd. situation here in Toronto disturbs me no end. I am sure the minister is aware of the activities there of Ronald Bruhm who has bought that company. He has quite a record of being extremely anti-union. I am sure the minister will find out if he does some checking on some of Bruhm's other operations.

He has decided he is going to take on those workers. Indeed, the day before they were in a position for a legal strike situation, he locked them out. It got so bad yesterday he drove a truck through the line with some of the strikebreakers.

The minister also knows one of the plant employees was hit and taken to hospital. Fortunately, it would appear his injuries were not severe. Yesterday's incident resulted in confrontation and a reaction by the plant's employees. It is something I can well understand.

I have been through enough of these situations myself to know the anger that was generated amongst those workers as a result of the cars carrying the strikebreakers through the line in that operation, going through at such a pace that a striker was hit and injured.

We have seen all too much of that kind of activity in Ontario in the last year or two. I happen to think it is a sign of the times. When things are tough, the employers in some cases

decide they are going to take on the union; they are going to knock back some of the workers' rights.

The perception of workers in the province is one of not getting a fair shake. We have tried to make that point with the minister. We are not trying to be nasty or create a situation in the community. We are just trying to point out that almost everything that happens leads to that perception.

With the kinds of situations we have had, there was an obvious need for legislation. I think some of the shortcomings in the legislation, two or three of them pointed out by my Liberal colleague, are fairly obvious.

I am not sure this bill will deal with such situations as the one that came to light in the last few weeks at Bedford Bedding and Upholstery Co. Ltd. It was not a strike situation; it was an attempt to organize a plant of some 130 workers.

One finds a union sitting with close to 55 per cent of the cards and, all of a sudden, they thought they found this same Securicor outfit had four employees in the plant hired within the last few weeks. Whether there is a little bit of a loosening up of the information at the registrar's office or not, I do not know, but when we called the registrar we found out that, not only are those four people employees of Securicor, but they were ready to give us two more names if we wanted them.

5:10 p.m.

Why in blazes has this company infiltrated that plant with employees of a firm notorious for strikebreaking if it is not to do what it can to see there is no certification, no union in there in the first place?

We have some serious doubts about this bill. I wish that rather than the British Columbia approach, the Minister of Labour (Mr. Ramsay) had decided on the Quebec approach and brought an element of equality into a legal strike situation. I recognize that is not a popular position in Ontario today, but it is certainly what we would have liked to see.

I have a number of concerns with the bill, but we have made a conscious decision not to try to amend it. If I had my druthers, I would just as soon not try to amend Tory legislation. I usually find it is not that good legislation to begin with. I do not really want to be part of trying to plug the loopholes or improving it.

That may sound a little harsh, but that is a personal feeling and not necessarily the position of my colleagues or of this caucus. But by the same token, we recognize the value of the bill

that is before us as being a recognition of a serious situation in Ontario.

We also recognize that the workers in Ontario and their unions are going to have to go to the board, using this section. Because of some of the doubts I have about whether it is a little too narrow, or just how strong the bill is, I suspect they are going to have to go before the board, based on the new sections we have and section 64 of the Labour Relations Act.

I am also sure we are going to have to depend on the kind of judgements we get from the board. That always bothers me. That is why I would like to see the legislation a little tighter, because we may not always have the personnel; we will certainly have unions, particularly some of the smaller or weaker unions, that do not have the resources, the staff or the competence to fight a case. The Steelworkers, in the Automotive Hardware case, went through almost a year and a good many hearings before the Ontario Labour Relations Board. That is why it would be useful to have the legislation a little tighter.

I want to raise some of our concerns with the minister. Some of them are similar to those that were outlined by my colleague in the Liberal Party. In subsection 71a(1) of the bill, would "strike-related misconduct" cover a situation such as infiltration of a union in an organizing effort, as we had at Bedford Bedding?

It raises a serious question. It is exactly the same kind of firm that has been doing the dirty work in these situations. It is the same kind of firm in Ontario, and it is pulling this kind of stunt when it is just a step ahead of a legal strike situation.

Will this section be able to deal with a situation like that? I think it may be a little too narrow and we are going to have to use other sections of the act. If we find we are into delays and long cases before the board, that is going to be a serious problem.

In clause 71a(2)(a), "'professional strikebreaker' means a person who is not involved in a dispute," and the phrase "whose primary object" bothers us. I guess it is once again a question of whether we are going to be arguing interpretations before the board in terms of this legislation. What is the primary objective? As has already been said, they could be there to provide security and, incidentally, to cause problems on a picket line.

In clause 71a(2)(b), "a course of conduct" bothers us a little because it seems to indicate a pattern of activity is necessary. Is that the case,

or can there be one incident or one action that should clearly make the case? I think when Mr. Ivers was counselling theft by officers of the local, obviously to put them on the spot, or was suggesting certain things they could do such as blowing up or ripping up the railway tracks into the plant, that should be enough.

Are we once again into a question of interpretation by such words as "course of conduct" in that section and "intended to interfere with" as the necessary approving intention? It sounds as if it should be fairly straightforward, but it bothers me a little bit whether the case can be made that the intention was to interfere with the rights of the workers and the unions in a case like this.

The burden of proof, the onus, should be on the employers. We would like to see that a little clearer. Why "lawful strike or lockout"? I make the point with the minister that an agent provocateur such we had in the Automotive Hardware case could be there to provoke a situation deliberately in a strike and create an unlawful situation. Are we covered in that case? I am not sure.

There are a number of amendments we could have made to this legislation. In making our decision, I have no hesitation in telling the minister and this House that we consulted at considerable length with a fair number of people in the trade union movement and found out we had a situation in the province that is bad enough that we want to see what this legislation does. We do not think it is the answer.

The trade union movement would be extremely happy with my Bill 12 or a variation of it that we have here. In the meantime, if this is all we have to hang our hat on, let us find out if the interpretations are going to be that narrow and what kind of a problem it is going to cause us. If it is going to cause us problems and if the minister has not dealt with the serious situation out there in the community, then he can bet his bottom dollar we are going to be back and so is the entire labour movement and they will be twice as angry as they have been up until now on this issue. That is the point I would like to leave with the minister.

This kind of a bill would not have prevented the death of brother Claude Dougdeen in the Alcan situation. That would be much better dealt with by legislation dealing specifically with the problem of replacing workers on their job, their livelihood, when they finally do make the decision to go into a legal strike. That is really the route I wish we had gone.

We have not yet heard any result, and I know this bill was not intended to deal with that situation, but I cannot finish here without suggesting to the minister that it is almost inconceivable to me, to my colleagues, to almost anybody I have talked to in the labour relations field, certainly to the trade union movement—and I might tell the minister, to my surprise, even to some management people I discussed it with—that the Solicitor General (Mr. G. W. Taylor) up to this time has not removed the licence from Mr. Ivers. He has not seen to it that he is no longer a licensed private investigator in Ontario and he has not removed the licence to operate of Securicor Investigation and Security Ltd.

I suggest also, if there is not fast action, while this may deal with some of the individual strike situations, if there is no action to deal with a firm that just never should have been in business in this province, we are going to see what we already sense happening; that is, a sort of swelling of the organization.

As I am sure the minister is aware, the owners of Securicor have already branched out under three or four different names. At least, the cards we are getting in our strike situations in Ontario name the same principals but give an entirely different security company name. I do not know what he is going to do or how fast he is going to deal with the question of the inadequacies of the licensing agreements and the control of these kinds of security firms, but if we do not have something very quickly we will not even know who we are dealing with, without a fairly long investigation; it may be the very same people who have been causing us problems up until now.

There are a lot of things that are not yet settled in this issue, but we are willing to take this legislation at face value as a recognition by this government that there is a serious situation here, to use it and use it very quickly to find out whether it is going to do the job or whether it is simply too narrow in its definitions.

Mr. Renwick: Mr. Speaker, my colleague the member for Hamilton East (Mr. Mackenzie), who is much more knowledgeable about these matters than I am, has covered a great number of points about the bill that are of concern to this caucus, though we agree to support it.

We are agreeing to support it basically because it is the first time in the history of Ontario that the term "strikebreaker" has at least appeared in legislation. Of course, all the bill does is create another statutory offence and confer

jurisdiction on the Ontario Labour Relations Board to deal with the matter. It will be a long time down the road before there is any definitive adjudication before the board to determine whether the amendment as proposed to us today is adequate to deal with the problem.

5:20 p.m.

I do not often venture to prophesy about what will happen, but we will find it is inadequate because of the circumstances in which it was introduced, the terminology that is used in the bill and the very technical problems that are involved in the language of the bill. I do not intend to go into those matters. We had a thorough discussion in caucus and, as my colleague said, we had a reasonable discussion with knowledgeable representatives in the field of labour law with respect to the terminology of the proposed amendment and we have serious and grave reservations about it.

We accept that mainly these days we must take what crumbs come to us from the government and we trust that our reservations, our scepticism and our cynicism about it will prove unwarranted. I cannot help reiterating what my colleague said. It is inconceivable to me that in the course of conduct that Securicor has been engaged in, not just in Automotive Hardware but in any number of instances that my colleague and others have put on the record in this assembly by way of questions, by way of information and by way of the brief and memorandum prepared for the steelworkers' union, the long list of incidents that have been exacerbated on the picket lines across the province by private investigators licensed by the government, at this time the Solicitor General has not made any statement in this House about the damning judgement issued against Securicor by the Ontario Labour Relations Board.

One wonders what status that board has in the minds of the government when another ministry of the government waits and waits just simply to issue a show-cause statement against Securicor with respect to the suspension of its licence under the Private Investigators and Security Guards Act. I cannot conceive of what they are doing. My guess is that the conspiracy charge that should be used against Automotive Hardware and Securicor will never be laid under the Criminal Code; that we will get a protracted show-cause hearing carried out in a casual way under the Private Investigators and Security Guards Act, and at some point in the distant future that company's right to carry on business in Ontario will be suspended and then with-

drawn and it will appear in another form somewhere else.

They will be licensed again. The Ontario Provincial Police will know when their undercover agents are acting as agents provocateurs in strikes and they will pretend that they keep an even hand between labour and management when they know very well who has gone underground and what is taking place.

We will never know the answers to that until such time as this party is the government of the province and we can investigate and find out the extent and degree of the knowledge of the Ontario Provincial Police and of other police forces, derived from the OPP or informed directly to the local police forces in strikes, as to who the people are who are underground in labour disputes and causing the kind of exacerbation of relationships that we do not need in this province.

The minister knows; he comes from a part of the world that is not unknown to have strikes of serious consequence. It is strange that most of these strikes take place in the smaller operations in an attempt to organize, to get a first contract, to get certified in the first place or to obtain a first contract in the second place. That is where the problems occur in Ontario. We never get a single, solitary instance of the willingness of industry in the province to come to grips with the situation which occurs in these exacerbated strike situations.

What we do find is an unwilling government waiting until the very last minute before it takes the kind of action mirrored in Bill 62. It never sits down and says to industry and labour: "Let us solve this problem. What are the limits to which management can go when there is a withdrawal of labour capacity in a lawful strike? What are the limits of what management can do?" We continue to operate in the situation where the police are called in, in many cases are placed in a very difficult situation and in many other instances, as the evidence now shows, they are aware of the activities taking place by agents provocateurs carrying on their business by licence issued by the government under the supervision of the Ontario Provincial Police.

Where is the even hand? Where does the minister think we are going in labour relations in this province if the answer and the sole response is whether or not a union has the strength, capacity and time to take a matter before the Ontario Labour Relations Board under this proposed legislation? He knows as well as I do that the United Steelworkers of America is one

of the strongest labour unions in Ontario among many unions which are very weak.

In a relative sense the steelworkers and indeed the United Auto Workers are weak in comparison to the economic power brought to bear constantly by the government in collusion with industry when we are trying to improve labour relations in the province. That kind of collusion is something which we will never be able to get across to the government because it denies it takes place, that it is all even-handed, that the police are there only to keep the peace.

There is never any question raised about the extent of the limitation on management's powers when labour has lawfully withdrawn its capacity to work from a plant in the course of a lawful strike. That is the question the government and this bill are not dealing with. I would have assumed that this minister, in collaboration with the Solicitor General, would have said right off the bat:

"Certainly we will do this. Certainly we will look at Bill 12. We will strike a committee during the summer to study the problem and to get an appropriate amendment to the Labour Relations Act which at least to some extent meets the major concerns of the labour movement in this area which have been in existence for a long time."

He would have said to his colleague, "Will you introduce into the Legislature an amendment to the Private Investigators and Security Guards Act which says very simply that it is prohibited by any private investigator to operate under his licence in any labour dispute in Ontario?"

It is just that simple. There is no place for the private investigator to be hired by management and to take action having anything whatsoever to do with a labour dispute. It is not simply a question of whether or not he carries out the more serious matters identified in the bill in the definitions of strikebreaker and strike-related misconduct.

This is the core problem. The minister has to ask himself, "Why should there be private investigators at all?" If there were security guards protecting the property of a plant prior to a labour dispute in the plant, all right, but under no circumstance can security guards be added to the capacity by management with respect to that plant after a labour dispute has taken place.

5:30 p.m.

Police action should be even-handed; however, this government must learn that in many

instances, the police are not taking part in an even-handed operation. It is not even-handed because the government has failed to clearly enunciate the limits that must be imposed and respected by management and what management can do when labour lawfully withdraws its work force from a particular plant. That is what it is about.

Increasingly, we are going to hear the Minister of Industry and Trade (Mr. Walker) talk about leaving the private sector to deal with the problem of unemployment, when the private sector in this province has not in a single, solitary instance voluntarily agreed to try to maintain the labour force at the time that drastic changes are taking place.

To industry in this province, labour is an expendable item. It is that simple. The minister can talk all he wants about social contracts, but this government must understand that if it leaves it to industry, there can be no social contract in this province in which labour can take part. Industry is totally unwilling to face up to its responsibilities with respect to the work force of the province.

It is absolutely surprising, 100 years after John Maynard Keynes's birth, that in Ontario we have a situation whereby the deliberate monetary policy of the government of Canada—not to mention the monetary effects on Canada of the policies of the United States and Great Britain—has induced a state of unemployment which has weakened the labour movement in the province to such an extent that it has no way of coping with this onset of violence and other methods by which management is trying in every way it can to destroy the work that many people have put into the labour movement over the years.

We get this inch-by-inch progress which we cannot even call progress, and we have to wait until we get a damning judgement from the Ontario Labour Relations Board before we get this piece of legislation which we are debating today. This is in itself an indictment of the government's policy with respect to management relations with labour.

Let us not kid ourselves. This government and the federal government have absolutely no conception of inducing industry in this province or industry in this country to co-operate with labour in the face of massive unemployment. Industry is taking advantage of the working people in the country at a time when they are weak in their capacity to respond. At a time of

insecurity, industry is moving in on the labour movement in a very destructive way.

We continuously hear talk about co-operation, social contracts and tripartite arrangements between industry, labour and government. Those tripartite arrangements will never take place as long as there is a government in Ontario which says that the only way to social justice is by giving everything to private enterprise; that if somewhere down the line there again occurs an opportunity for social justice in the province, it will only be because of the beneficence of private enterprise.

I can tell the minister that if this government follows that course there will come a time when the reaction will set in and people will begin to understand that economic security and economic progress are quite consistent with social justice. That is what this party is saying; that is what this party is trying to say to the government day in and out. But the one does not follow the other, the one does not give way to the other.

The only way in which we can have economic progress, economic justice and economic growth in this province is if the government understands that there has to be social justice. One of the principal components of social justice in this province is the essential necessity for government to say to labour: "Yes, we will stand with you. Yes, we will say to the industry of this province, 'Make certain that in every advance you claim you are going to make in the private marketplace there is a concomitant commitment to labour to honour and respect the dignity of work.'"

Until the minister understands that, we will find a high degree of scepticism, cynicism and, if I may say so, a lack of respect for a government that believes this bill is an answer to the damning indictment of Automotive Hardware and Securicor before the Ontario Labour Relations Act.

My last word this afternoon is to say to the minister to pick up the phone to his colleague the Solicitor General and ask him what he is doing about the conspiracy between Automotive Hardware and Securicor to subvert the laws of Ontario in labour matters. What is he doing about it and what role is the Minister of Labour going to play in making certain he does something about it? The last question is, what role did the Ontario Provincial Police and the Metropolitan Toronto Police play in the Automotive Hardware-Securicor operation?

Those are fundamental questions. They are questions that need open and clear answers. I

find it passing strange that nothing has been done with respect to Securicor or Automotive Hardware as we sit here this afternoon to pass Bill 62.

I am a cynic, and I confess it. I want the minister to know I do not really count on this bill accomplishing anything. But as I said, and as we recognize, even we on occasion have to take crumbs.

Hon. Mr. Ramsay: Mr. Speaker, about four and a half years ago, the day after the by-election in which I was elected to this Legislature, I met the member for Riverdale for the first time; it was in an airport, before I had even visited this chamber. I said to him at that time, if I recall correctly: "Mr. Renwick, I know you by reputation. You are reported to be one of the very best speakers and debaters in the Ontario Legislature, and have been in that capacity for many years." He very modestly sloughed off the compliment. But, after listening to him today, I would say the reports I received four and a half years ago were obviously quite correct. I stand in awe of the manner in which he expressed his opinions on a very serious matter.

I am indebted to the member for Riverdale, to the member for Hamilton East and to the member for Windsor-Sandwich for their learned and constructive comments this afternoon on this bill. I thank them and acknowledge their contributions.

Motion agreed to.

Bill ordered for committee of the whole House.

5:40 p.m.

House in committee of the whole.

LABOUR RELATIONS AMENDMENT ACT

Consideration of Bill 62, An Act to amend the Labour Relations Act.

Mr. Chairman: It has been brought to my attention that there are some proposed amendments. Does the minister have any amendments?

Hon. Mr. Ramsay: No.

On section 1:

Mr. Chairman: Mr. Wrye moves that subsection 71a(1) of the Labour Relations Act, as set out in section 1 of the bill, be amended by striking out the word "retain" and substituting therefor the word "use."

Mr. Wrye: Mr. Chairman, I have already raised our objection to the use of the word "retain" in the legislation as it exists. I made the point to the House before, and I make

it again to the minister. I hope he will accept this amendment.

Our concern with the word "retain" applies within a legal context in exchange of funds. We believe the insertion of the word "use" instead of "retain" would cover off this legislation in all possibilities. It would not allow for a very narrow interpretation that might throw out the intent of the act, which I believe we on all sides of the House support, and that is to end this deplorable practice.

Hon. Mr. Ramsay: Mr. Chairman, I would ask for your advice as to whether you would wish me to comment after each of the amendments or after they have all been presented.

Mr. Chairman: That is not the appropriate way. If the minister wants to comment after each proposed amendment, he can comment now on this proposed amendment.

Hon. Mr. Ramsay: I have one preliminary comment before I speak to the particular amendment. I would not want the member for Windsor-Sandwich (Mr. Wrye) to think we have just discarded these amendments out of hand and have not studied, reviewed or assessed them. They are certainly quite reasonable. Senior staff of the ministry have looked at them in depth. We will not be accepting them, but I do feel they were submitted with the best possible motivation.

In the case of the amendment before us at present, it does not appear to me that the scope and application of the section would be altered by changing the word "retain" to the word "use."

Mr. Chairman: All those in favour of Mr. Wrye's motion will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Mr. Chairman: Mr. Wrye moves that clause 71a(2)(a) of the act as set out in section 1 of the bill be deleted and replaced by:

"(a) 'professional strikebreaker' means a person who is not involved in a dispute who purposefully interferes with, obstructs, prevents, restrains or disrupts the exercise of any right under this act in anticipation of, or during, a lawful strike or lockout."

Mr. Wrye: Mr. Chairman, we dealt with the matter during the debate on second reading. We believe the phrasing we offer to the Legislature is superior to that now proposed in the legislation for two reasons.

First, the phraseology "primary object" could lead to interpretation of whether the primary

object was disruption, for example, or whether the primary object was general surveillance or general intelligence, which would not be improper.

I believe my friend the member for Hamilton East in his remarks also pointed out we could get into a difficult situation in regard to arguments that a professional strikebreaker or a person involved in a dispute was involved in disruption as a primary object. We believe the very offences this legislation sets out under "strike-related misconduct" should in and of themselves violate the act. We should not have to prove before the board that it was not the primary object.

Second, we have proposed to delete the phrase "in the board's opinion." Once again, we believe to leave that phraseology in would delay action on such complaints. Complaints would have to be laid and then they would have to be adjudicated. Our object is to put an end to this kind of repugnant behaviour just as quickly as possible.

Hon. Mr. Ramsay: Mr. Speaker, the proposed amendment would eliminate intention as an element of the offence and I cannot agree that this section should apply to penalize inadvertent actions.

Mr. Chairman: The member for Windsor-Sandwich has moved an amendment to clause 71a(2)(a).

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Mr. Chairman: Mr. Wrye moves that clause 71a(2)(b) of the act as set out in section 1 of the bill be deleted and replaced by:

"(b) 'strike-related misconduct' means a course of conduct of incitement, intimidation, coercion, undue influence, provocation, infiltration, surveillance or any other like course of conduct that interferes with, obstructs, prevents, restrains or disrupts the exercise of any right under this act in anticipation of, or during, a lawful strike or lockout."

5:50 p.m.

Mr. Wrye: Mr. Chairman, the only change we have proposed other than making the verb tenses fit accordingly is to replace the words "intended to interfere" with "that interferes."

We believe the actions we have seen and the experience with the hate propaganda section of the Criminal Code indicate the kinds of problems we will get into if the words "intended to" are left in this legislation. As the wording now

exists, a nonprofessional strikebreaker engaged in strike-related misconduct would have a defence simply by alleging and raising evidence to the effect he did not specifically intend his surveillance to interfere with a right under this act.

Consequently, our view is that by simply changing this wording we can clean up this situation and bring in a piece of legislation which will speak a little more effectively to end the behaviour this legislation sets out to end.

Hon. Mr. Ramsay: Mr. Chairman, I must admit I inadvertently addressed this particular amendment when I got to my feet on the last occasion.

Mr. Chairman: The member for Windsor-Sandwich has moved an amendment to clause 71a(2)(b).

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Section 1 and 2 agreed to.

Bill ordered to be reported.

On motion by Hon. Mr. Norton, the commit-

tee of the whole House reported one bill without amendment.

LABOUR RELATIONS AMENDMENT ACT

Hon. Mr. Ramsay moved third reading of Bill 62, An Act to amend the Labour Relations Act.

Motion agreed to.

Hon. Mr. Wells: Mr. Speaker, the Minister of Agriculture and Food (Mr. Timbrell) is not here. He is just down the hall at a meeting. Would the House like to proceed with the credit union bill?

Mr. Breithaupt: Mr. Speaker, we could do it. The remarks are obviously going to take more than the six minutes available to us, along with the other bills. Perhaps it would be more convenient to call it six of the clock at this point.

Mr. Martel: Mr. Speaker, might I ask the government House leader, because of the lateness of the hour and because my critic is not here for that bill, if we could adjourn and reconvene at eight o'clock.

The House recessed at 5:53 p.m.

CONTENTS

Tuesday, June 21, 1983

Statements by the ministry

Birch, Hon. M., Provincial Secretary for Social Development:	
Group home initiatives.	1892
Davis, Hon. W. G., Premier:	
Domed stadium.	1890
McCaffrey, Hon. B., Minister of Citizenship and Culture:	
Library program initiatives.	1889
Norton, Hon. K. C., Minister of the Environment:	
Pollution abatement equipment.	1888
Ramsay, Hon. R. H., Minister of Labour:	
Coroners' inquest recommendations.	1893
Snow, Hon. J. W., Minister of Transportation and Communications:	
Public Commercial Vehicles Act review committee report.	1894
Burlington Bay Skyway.	1896
Wells, Hon. T. L., Minister of Intergovernmental Affairs:	
Canada Day.	1891

Oral questions

Bennett, Hon. C. F., Minister of Municipal Affairs and Housing:	
Neighbourhood improvement application, Mr. Eakins, Mr. Epp.	1902
Subsidized rental housing, Mr. Gordon.	1907
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:	
Trust companies, Mr. Peterson.	1896
Retail food prices, Mr. Swart, Mr. Riddell.	1903
Grossman, Hon. L. S., Minister of Health:	
Inspection of nursing homes, Mr. Rae.	1899
Hospital admittance delays, Mr. Cooke, Ms. Copps.	1906
Norton, Hon. K. C., Minister of the Environment:	
C. H. Lewis landfill site, Mr. Peterson, Mr. Charlton.	1898
Ramsay, Hon. R. H., Minister of Labour:	
Coroners' inquest recommendations, Mr. Rae.	1901
Diesel emissions, Mr. Martel, Mr. Wildman.	1902
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities:	
Educational microcomputers, Mr. Newman.	1905
Timbrell, Hon. D. R., Minister of Agriculture and Food:	
Payment for produce growers, Mr. Watson, Mr. Mancini.	1904

Motions

Committee sittings, Mr. Wells, agreed to.	1909
Authorization to travel, Mr. Wells, agreed to.	1909

First readings

Executive Council Amendment Act , Bill 77, Mr. Wells, agreed to.	1910
Legislative Assembly Amendment Act , Bill 78, Mr. Wells, agreed to.	1910
Government Advertising Control Act , Bill 79, Mr. Foulds, agreed to.	1910
Election Finances Reform Amendment Act , Bill 80, Mr. Foulds, agreed to.	1910
Election Finances Reform Amendment Act , Bill 81, Mr. Philip, agreed to.	1910
Employment Standards Amendment Act , Bill 82, Ms. Bryden, agreed to.	1910
VDI Operators' Safety Act , Bill 83, Mr. R. F. Johnston, agreed to.	1911
Ontario Land Information Act , Bill 84, Mr. Martel, agreed to.	1911
Eastern Pentecostal Bible College Act , Bill Pr34, Mr. Pollock, agreed to.	1911

Second readings

United Native Friendship Centre Act , Bill Pr18, Mr. T. P. Reid, agreed to.	1911
Bernard Betel Centre for Creative Living Act , Bill Pr20, Mr. Cousens, agreed to.	1911
Star of Progress Spiritual Church Act , Bill Pr23, Ms. Fish, agreed to.	1911
Morton Terminal Limited Act , Bill Pr27, Mr. Newman, agreed to.	1911
Andonald Enterprises Limited Act , Bill Pr29, Ms. Fish, agreed to.	1912
St. Augustine's Seminary of Toronto Act , Bill Pr35, Mr. Robinson, agreed to.	1912
Public Service Superannuation Amendment Act , Bill 65, Mr. Wiseman, Mr. Breithaupt, Mr. Philip, Ms. Bryden, agreed to.	1912
Retail Sales Tax Amendment Act , Bill 73, Mr. Ashe, Mr. T. P. Reid, Mr. Breaugh, agreed to.	1914
Expropriations Amendment Act , Bill 72, Mr. McMurtry, Mr. Breithaupt, Mr. Renwick, agreed to.	1914
Labour Relations Amendment Act , Bill 62, Mr. Ramsay, Mr. Wrye, Mr. Mackenzie, Mr. Renwick, agreed to.	1916

Committee of the whole House

Labour Relations Amendment Act , Bill 62, Mr. Ramsay, Mr. Wrye, reported.	1923
--	------

Third readings

Municipal Amendment Act , Bill 58, Mr. Bennett, agreed to.	1911
Health Facilities Special Orders Act , Bill 64, Mr. Grossman, agreed to.	1911
Workers' Compensation Amendment Act , Bill 66, Mr. Ramsay, agreed to.	1911
United Native Friendship Centre Act , Bill Pr18, Mr. T. P. Reid, agreed to.	1911
Bernard Betel Centre for Creative Living Act , Bill Pr20, Mr. Cousens, agreed to.	1911
Star of Progress Spiritual Church Act , Bill Pr23, Ms. Fish, agreed to.	1911
Morton Terminal Limited Act , Bill Pr27, Mr. Newman, agreed to.	1911
Andonald Enterprises Limited Act , Bill Pr29, Ms. Fish, agreed to.	1912
St. Augustine's Seminary of Toronto Act , Bill Pr35, Mr. Robinson, agreed to.	1912
Public Service Superannuation Amendment Act , Bill 65, Mr. Wiseman, agreed to.	1912
Retail Sales Tax Amendment Act , Bill 73, Mr. Ashe, agreed to.	1914
Expropriations Amendment Act , Bill 72, Mr. McMurtry, agreed to.	1914
Labour Relations Amendment Act , Bill 62, Mr. Ramsay, agreed to.	1916

Other business

Ontario apples , Mr. McKessock.	1887
--	------

Estimates, Mr. McCague.	1887
Member's status, Mr. Cousens.	1887
Reply from minister, Mr. Wildman.	1887
Ineligibility of bill, Mr. Speaker, Mr. Martel.	1887
Visitor, Mr. Wells.	1891
Members' privileges, Mr. Gordon.	1908
Assistance to farmers, Mr. Riddell, Mr. Timbrell.	1908
Television in Legislature, Mr. Martel.	1909
Recess.	1925

SPEAKERS IN THIS ISSUE

Ashe, Hon. G. L., Minister of Revenue (Durham West PC)
Bennett, Hon. C. F., Minister of Municipal Affairs and Housing (Ottawa South PC)
Birch, Hon. M., Provincial Secretary for Social Development (Scarborough East PC)
Breaugh, M. J. (Oshawa NDP)
Breithaupt, J. R. (Kitchener L)
Bryden, M. H. (Beaches-Woodbine NDP)
Charlton, B. A. (Hamilton Mountain NDP)
Conway, S. G. (Renfrew North L)
Cooke, D. S. (Windsor-Riverside NDP)
Copp, S. M. (Hamilton Centre L)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Cureatz, S. L., Deputy Speaker and Chairman (Durham East PC)
Davis, Hon. W. G., Premier (Brampton PC)
Eakins, J. F. (Victoria-Haliburton L)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Epp, H. A. (Waterloo North L)
Foulds, J. F. (Port Arthur NDP)
Gordon, J. K. (Sudbury PC)
Grossman, Hon. L. S., Minister of Health (St. Andrew-St. Patrick PC)
Johnston, R. F. (Scarborough West NDP)
Kerrio, V. G. (Niagara Falls L)
Mackenzie, R. W. (Hamilton East NDP)
Mancini, R. (Essex South L)
Martel, E. W. (Sudbury East NDP)
McCaffrey, Hon. R. B., Minister of Citizenship and Culture (Armourdale PC)
McCague, Hon. G. R., Chairman, Management Board of Cabinet (Dufferin-Simcoe PC)
McGuigan, J. F. (Kent-Elgin L)
McKessock, R. (Grey L)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)
Newman, B. (Windsor-Walkerville L)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, Hon. K. C., Minister of the Environment (Kingston and the Islands PC)
Peterson, D. R. (London Centre L)
Philip, E. T. (Etobicoke NDP)
Rae, R. K. (York South NDP)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
Reid, T. P. (Rainy River L-Lab.)
Renwick, J. A. (Riverdale NDP)
Riddell, J. K. (Huron-Middlesex L)
Roy, A. J. (Ottawa East L)
Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
Stokes, J. E. (Lake Nipigon NDP)
Swart, M. L. (Welland-Thorold NDP)
Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
Turner, Hon. J. M., Speaker (Peterborough PC)
Watson, A. N. (Chatham-Kent PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wildman, B. (Algoma NDP)
Wiseman, Hon. D. J., Minister of Government Services (Lanark PC)
Wrye, W. M. (Windsor-Sandwich L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Tuesday, June 21, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, June 21, 1983

The House resumed at 8 p.m.

GRAIN ELEVATOR STORAGE ACT, 1983

Hon. Mr. Timbrell moved second reading of Bill 40, An Act to revise the Grain Elevator Storage Act.

Hon. Mr. Timbrell: Mr. Speaker, members will recall that the throne speech indicated the Grain Elevator Storage Act was under review and needed to be revamped to provide better protection for farmers who store their grain in elevators. The revised bill clarifies the rights of the producer in stating that farm produce held in an elevator for storage remains the property of the producer, even when subject to a written agreement to sell.

Confusion has resulted in the past as to who owns the stored grain, the producer or the elevator operator, once a contract for sale had been signed, especially so when a third party took over the business operation. When elevator operations fell into financial difficulties, financial institutions would confiscate all the contents in the elevators and legal battles would result when growers attempted to regain property or compensation for it.

The amended Grain Elevator Storage Act specifies that all grain delivered to an elevator is deemed for storage unless otherwise decided by a court or by a written agreement. It states unequivocally that the producer retains title to the grain until he receives his money from any sales transaction.

The chief inspector also has powers under the proposed act to carry out these provisions and he may seal bins and seize, remove and even sell stored grain if he has to. This authority is deemed necessary to safeguard the interests of the producers. There are instances, when an elevator operator becomes insolvent or abandons his facility, in which the chief inspector must be able to step in and discharge the perishable produce before it spoils.

The proposed legislation is similar in its intent to other policy initiatives of my ministry. I refer the members to the beef cattle financial protection program, successfully introduced for beef producers last year; the farm adjustment assistance program, extended for a second year;

crop insurance; and this government's income stabilization proposals, all of which are initiatives designed to safeguard the producer from natural and economic calamities.

This bill reflects the wishes of the ministry, the producer marketing boards and the chief inspector. The contents have also been discussed with the Ontario Grain and Feed Dealers Association, which has lately requested an amendment to the bill as it now stands. Consequently, when we get to committee of the whole I will move that section 17 of the bill be amended with the following new subsection:

"(4) Notwithstanding anything in this act, where the owner of farm produce in storage agrees to sell the farm produce on option, payment to the owner by the grain elevator operator on the day on which the farm produce is sold at such percentage of the market price on that day as is prescribed by the regulation is deemed to be due compensation for the purposes of clause (1)(k)."

This amendment will allow the owner of the farm produce to receive a percentage of payment immediately and leave the remainder of his payment due in the hope of getting a better price later. It means that a transfer of title to stored produce can occur before the full amount is paid to the owner.

I will also move two other small amendments. One, related to the amendment I just read, has to do with the powers to make regulations; and the other is to change only slightly the definition of "farm produce."

This legislation will safeguard the rights and property of owners of stored farm produce, allowing them to carry on their business much as they have in the past.

Mr. Riddell: Mr. Speaker, I rise in support of Bill 40, and I want to inform the minister that when the bill goes to committee of the whole House we will be making two or three amendments from this side of the House, and I believe the critic for the New Democratic Party also has some amendments to introduce.

Stepping outside of my usual style, I want to compliment the minister on recognizing the need for financial protection of producers who do not receive immediate payment for their

produce when they send it to market. Over the last few years there have been bankruptcies of companies that accepted farm produce for processing and resale or storage, which resulted in farmers having little chance of recovering their produce or payment for it.

The minister introduced the beef producers protection plan after he learned of several packing plant bankruptcies, but I think the thing that really spearheaded the introduction of the beef producers protection plan was the bankruptcy of McIntyre sales yards, where many farmers lost thousands of dollars.

In the short time the Minister of Agriculture and Food (Mr. Timbrell) has served in that capacity, I am sure it has become obvious to him that special policies favouring farmers must be implemented through appropriate legislation or regulations.

Without the kind of legislative protection we have seen in the beef producers protection plan and we are partially seeing in Bill 40, many farmers may be deprived of their very livelihood by finding themselves in liquidation, receivership, or bankruptcy proceedings as debtors, in spite of having managed their farm business in an efficient and productive manner.

The financial difficulties encountered by certain grain elevators led to the introduction of the Grain Elevator Storage Act back in about 1957, I believe. I regret very much having to say, however, that the minister's amendments to the Grain Elevator Storage Act, as found in Bill 40, is nothing more than show-window legislation.

It gives extensive power to the chief inspector, who is appointed by this government in accordance with this bill. Although inspection may give forewarning of a company that is heading for trouble, it will not prevent bankruptcy and or put one cent in the farmer's pocket in case of bankruptcy.

I am certainly pleased I have the minister's attention.

The Acting Speaker (Mr. Robinson): I believe you have it now.

Mr. Riddell: Just in case he missed it, I am going to repeat what I said. I was complimenting the minister for recognizing the need of financial protection for the farmers. I complimented him for bringing in the beef producers protection plan.

But I regret to say we are dealing with a bill that is nothing more than show-window legislation. Let me explain that. This bill gives extensive powers to a chief inspector who will be appointed by this government in accordance

with the bill. Although inspection may give forewarning of a company that is heading for trouble, it will not prevent bankruptcy and or put one cent in the farmer's pocket in case of bankruptcy.

I will deal with this later, but first I think the minister should be reminded of the brief presented by the Ontario Federation of Agriculture. I do not think the minister really addressed the concerns they expressed. I do not intend to go into any detail on the brief that was presented to the minister, other than to say he should be aware of the fact the economic forces of supply and demand directly affect agricultural product markets.

Individually, a farmer cannot control the price obtained for a product. Unlike most businesses, the farmer never has the luxury of increasing the price of a product to cover drastically increased costs of production or yearly losses. Thus the farmer who cannot even recover costs of production from gross sales, let alone a margin for living expenses, has become much more commonplace.

8:10 p.m.

This lack of control over prices makes the farmer particularly vulnerable to financial ruin when another business receives his product, is taken over by a prior secured creditor and then through bankruptcy is relieved of the obligation to pay for the product.

In addition, a large volume of agricultural business is carried on near the farm gate and far removed from the mainstream of urban commerce. The average farm business lacks the sophistication, staff or money to effectively make use of such legislation as the Personal Property Security Act, if it can be used at all.

This bill really does not do anything for a farmer if the grain elevator operator happens to go into bankruptcy. Until the introduction of the beef producers protection plan, the government had taken the attitude that the Farm Products Marketing Act provided all the financial protection that producers need.

However, the collapse of packing plants and the recent bankruptcy of McIntyre's sales yards showed the minister the government was operating under false assumptions. It became obvious to the minister the farmers had very little protection in the case of financial collapse of the companies to which they sent their produce.

When farmers lost thousands of dollars in connection with the McIntyre bankruptcy, the minister rushed in and established a beef protection plan which included a levy charged to

the producers as well as to those market outlets which accepted the beef from the farmers. There was a levy included in that protection plan and it was to be used for the buildup of a fund to be used to pay farmers in cases of the default of the marketer. That is lacking in this bill.

Farmers producing under supply management programs have the protection of their respective marketing boards for payment for produce marketed by the boards. But other farmers, those farmers who did not produce under a supply management program, do not have this kind of protection, with the exception of the beef producers who have just recently been given the protection in what we considered to be fairly good legislation.

In the United States, where marketing boards do not exist, there are two pieces of legislation protecting the producers. The legislation with the most teeth in it is the Packer and Stockyard Act. It calls for payment of invoices on the same day the shipment is received. Equally important is the creation of a trust fund into which the packer must direct all payments from meat products and from which the producer is paid. In other words, secured creditors cannot get their hands on the producers' money.

Also in the United States there is the Perishable Agricultural Commodities Act which governs trading in the fruit and vegetable trade. There is presently a proposal being supported by 17 produce trade associations throughout the United States. The proposal would create a trust situation under the Perishable Agricultural Commodities Act in the event that a receiver declared bankruptcy.

The proposal does not affect the normal business operation or bookkeeping practices of a receiver, but does provide that in the event a receiver goes bankrupt the accounts owing by the final buyer go into the trust and then to the producer, rather than to the secured creditors such as banks and other suppliers. There are provisions that if producers wish to waive their rights with a signed statement to the receiver, they may do so.

We take issue with this bill because no fund has been established to which moneys can be directed whereby, in the case of bankruptcies, the producers who have sent their grain to the elevators for storage will receive their payment if the grain elevator operator happens to go bankrupt. I cannot see where the producer has any kind of protection under the bill as it now stands owing to the fact that when the grain

elevator operator goes bankrupt, chances are that all the secured creditors will get their money long before the farmer is ever considered.

There are no provisions in Bill 40 to give producers the kind of financial protection we believe they must have. For this reason my colleague the member for Kent-Elgin (Mr. McGuigan) is going to introduce amendments to strengthen the bill to give the producers the kind of protection they must have.

Many producers send their grain to the elevator and keep it in storage for six months or longer. If the elevator happens to go bankrupt in the meantime, how is the producer going to get payment under the bill as it stands at present? I do not see how it is going to come about. It does not have nearly the strength the beef producers protection plan has by virtue of the fact that the government is establishing a fund. In this bill there is no fund being set up.

Perhaps we should follow the example of the beef producers protection plan that the minister introduced. I give him credit for that. I know full well he did not have the support of the executive of the Ontario Cattlemen's Association. He made the decision himself and rightly so. He came in with a fairly good bill. This bill is definitely lacking in that one main item. There is no fund established to make payment to the producers in case of the bankruptcy of a grain elevator.

I will simply reiterate that we will support the bill but we will be introducing amendments we think will strengthen it. I hope I have convinced the member for Stormont-Dundas-Glengarry (Mr. Villeneuve), who is most interested in agricultural affairs, that there is a weakness in this bill. I hope he will stay around when we vote on our amendments so we can help the minister give grain producers the kind of protection they need when they send their product to grain elevators for storage.

As parliamentary assistant to the minister, I hope Ronnie McNeil will see the merit in our amendments so we can give the grain producers in his riding the kind of protection they need.

The Acting Speaker: Order. In the best tradition of this House, I have to remind the member for Huron-Middlesex that in debate he must refer to other honourable members only by their riding names. As we do not have a riding named Ronnie McNeil, I would ask you to check your list and correct yourself.

Mr. Riddell: I will refer, then, to the former Liberal member for Elgin (Mr. McNeil) and try to encourage him to see the merits in the

amendments his good friend the member for Kent-Elgin (Mr. McGuigan) will be introducing later on. Let us all work together to strengthen this bill and give farmers the protection they need.

Mr. Swart: Mr. Speaker, our party is also going to support this bill. The agricultural organizations are supporting it. It is a bill that will improve the situation with regard to the storage of grain in elevators and will ensure that until it is paid for it remains the property of the producer.

I find myself supporting in principle the comments made by the member for Huron-Middlesex (Mr. Riddell); however, I am a little bit confused about them. I support the principle that there should be a guarantee to the farmer that he will get paid for his produce. Farmers have been put in impossible positions, whether it involves tomatoes for which they have not been paid, or formerly the beef or whatever the case may be, however, it seems the intent of this bill is that the producer retain title to his grain while it is in the elevator until it is paid for.

8:20 p.m.

Mr. McGuigan: What if there is no money behind it?

The Acting Speaker: Order.

Mr. Swart: He still retains title to the grain. I think it is a little different from the situation where the farmer sells his produce, they process it, then there is a bankruptcy and obviously he cannot get his produce back. But this bill, as I understand it, provides title to the farmer for his grain until it is paid for. Therefore, it does not have the same need, I would suggest, as other areas of bankruptcy, because if he owns that grain—

Mr. Riddell: What happens if the grain is squandered?

The Acting Speaker: Order.

Mr. Swart: He owns it; that is what the legislation is for and what I understand they inspect it for. The whole purpose of the legislation is to ensure that he owns that grain until it is paid for.

I accept the minister's comments on the purpose of this bill when he introduced it and in his statement this evening that it is to safeguard the property rights of the producers who deliver grain to the elevator for storage—not for sale but for storage. The proposed legislation makes it clear that farm produce held in an elevator for storage remains the property of the producer

even when it is subject to a written agreement to sell.

So we support the bill. However, in supporting it I do have a couple of reservations, as the minister knows. In fact, I guess I have three reservations. One was mentioned by the member for Huron-Middlesex with regard to the inspection. We have some concern, in view of what happened to the trust companies and a great many other areas, that the inspections may not always be carried out thoroughly and on time. I am afraid, though, that we have to live with this reservation and trust the minister to see that he does carry out his duties as required under the act and under the regulations.

The Ontario Federation of Agriculture would very much like to have had this act extended to cover all produce that is to go into storage, and I hope the minister, when he gets up to reply, will make some comment with regard to whether he intends at some point to bring in legislation that will go further than the elevator storage and apply to apples in storage or, for that matter, to any of the farmers' produce that goes into storage where there might be some dispute about who owns it after it gets into storage. I hope he will make some comment on whether he intends to broaden it at some date. Obviously, he will have to change the name of it; it would no longer be the elevators act.

The first area in which I have some reservations is section 15. I am not suggesting this is the most significant section of the act, but there is some concern in the Ontario Federation of Agriculture, and I understand it, with regard to section 15, where it says:

"(1) All farm produce delivered to a grain elevator shall be deemed to be for storage, and such delivery and storage shall not constitute a sale unless it is established to the contrary in writing or by a court of competent jurisdiction."

The one amendment I will be moving will be to take out the words "or by a court of competent jurisdiction." We know very well that this dispute over the ownership can end up in court; but there is a clear implication here, it seems to me, that the agreement does not necessarily need to be in writing if it is an agreement for sale. I think it should be required to be in writing. If we take out those latter words, it would still permit a dispute to be settled by a court, but it would not leave the implication that somehow or other all these transactions for sale should not be in writing. They should be in writing and the act should say they should be in

writing. Therefore, I will be moving that relatively minor amendment.

The minister is aware too of my other concern, on which I intend to move an amendment, with regard to section 19, which is the requirement that the elevator operators keep the products they have fully insured to value all the time. If for any reason a negligent operator who gets into financial difficulties drops his insurance, lapses maybe only for two or three days and somehow the product is destroyed, perhaps \$20,000, \$50,000 or \$100,000 worth of the farmer's produce, then he would not be covered. I know the minister had the same concern about this.

What I am suggesting in my amendment is that there should be a fund set up. I am leaving this very vague in my amendment for obvious reasons. It just gives the minister the authority to set up a fund and to levy a fee against the elevator operator. It seems to me we have to have that backup so that in default of an elevator operator carrying insurance, the producer will not be the one who is stuck with the loss.

The minister is well aware that his government has recognized this in a number of areas; for instance, in the auto insurance field in which there are far more insureds than there are here. Nevertheless the principle is the same; that is, there is compulsory auto insurance. There is also a fund set up so that if for any reason an operator or an owner of a car does not have insurance, the victim will not be penalized. The same thing is true with regard to auto dealers' insurance. Up until this year, the government required that there be a bond by the auto dealer so that if he went into default, the person who purchased the car would not be the loser with regard to maintenance, repair or anything else of that nature.

This year new legislation was brought in that provided for a fund that we supported and that I think is superior. The same thing is true of the travel agencies. We have a provincial fund set up. I know the minister does not like to make changes at the last minute without consultation, but I suggest the disadvantage of doing that is probably not as great as the damage that could arise if we leave this loophole in the act.

I will be moving that amendment unless the minister comes up with some other alternative to plug that loophole. The plugging of that loophole may become even more necessary with the amendment to section 17 because there is going to be grain left in that elevator in a case

where there may be partial ownership by the producer.

With those few comments, I will just repeat that we are going to support this bill, but we think there are two or three areas where it has to be strengthened.

8:30 p.m.

Mr. McGuigan: Mr. Speaker, I rise to support this bill, but I do it very reluctantly. I agree with my colleague the member for Huron-Middlesex that this is another piece of show-window legislation for which this government is famous. They put it up in the window and look at it: but do not try to use it, brother, because it will fall apart.

I am especially concerned about this because the events that have precipitated it all occurred in my riding, for some reason or other. In 1957, the original bankruptcy occurred of the MacLean Grain Co., which had its head office in Chatham. They had receiving facilities in Tilbury and in Elgin as well as one in Port Stanley. That bankruptcy and the recent bankruptcy in Tilbury of the Tilbury Farmers' Co-operative were both precipitated by events that are not covered in either piece of legislation. The events are the result of the special human frailty we have when the gambling bug grips us; that is, the matter of speculating in the grain futures market.

On another occasion, I defended the futures system with all the strength I had when we were talking about establishing the futures market here in Toronto for other commodities, because a futures market does serve a very legitimate and very necessary function in the marketing of basic commodities. I am not going to go into a long explanation of that. However, when it is abused, it can lead to very serious losses.

I would point out that the accepted philosophy from people who deal in futures is that 70 per cent of the people who deal in them lose money. It is not something that is limited to the amateurs, because when professionals get to the point when they really feel they know the market, when they feel they understand it and are the master of it, that is when they plunge in and lose their fortunes.

There is an old saying about how to start with a large fortune and go into the grain market and lose it. In both of these cases, the managers were bitten by that attraction to the futures market. In the most recent case, the manager bought beans at about 35 cents over the cash market. He gave free storage for a certain period of time on a proposed, expected or hoped-for sale. He hoped to sell these in Japan—

Mr. Sargent: Mr. Speaker, on a point of order: My friend is making some very important points, and no one is listening to him. Please settle the House down and get members to listen to the points he is talking about.

The Acting Speaker: Thank you.

Mr. McGuigan: Thank you, Mr. Speaker, and thanks for the support, but I see a number of people are listening and are concerned. I was explaining about the loss that was occasioned by the Tilbury Farmers' Co-operative; they lost about \$400,000 in that transaction.

There was another event that happened in the Tilbury Farmers' Co-operative which is not addressed in this legislation. The co-op had acquired the shipping and storage facilities of the Montgomery Grain Co. They had paid something like \$800,000 two or three years before, and when one of the payments to amortize the mortgage on the recent acquisition came due, the bank reached into the general fund and pulled money out of that general fund to pay for an acquisition.

In this one instance, there are two circumstances or actions that are not even suggested in this legislation: the sanctity of a fund that belongs to producers and the situation created when people step out of their normal role and use the futures market for speculating rather than in the commercial way in which it was meant to be used; they cannot meet their cash flow and out of desperation they reach in and sell a product that does not belong to them.

There is an old saying in the grain trade. It is not very good grammar but it is worded this way to rhyme: "He who sells what isn't his'n goes to prison."

I have been affected by these bankruptcies two or three times in my farming career. I ask, what credit will a banker give someone who goes to the bank and says, "Here is my share of the revenge we have on this fellow for breaking the law"? The banker will not give very much credit for that. This is what we hope to address in an amendment we wish to add to this legislation.

The point is, the two main elements of that bankruptcy are not addressed in this legislation.

I would like to speak on the matter of why farmers are more incensed over this situation than are people in other walks of life. One might very well ask what is so special about the farmers' case. I would like to list for the

members some of the risks a farmer takes in producing a crop.

Mr. Sargent: Hey, you guys, hear this.

The Acting Speaker: Order.

Mr. Sargent: This is a key point.

Mr. McGuigan: They are listening.

Mr. Sheppard: Where did the member for Grey-Bruce (Mr. Sargent) buy that jacket?

The Acting Speaker: Order.

Mr. McGuigan: The number one risk is the production-and-yield risk from such variables as weather, disease, insects, choice of varieties, machinery breakdown, timing and production practices and related factors.

The second risk is market-and-price risk. Prices paid for inputs and received for farm products are affected by supply and demand conditions, trends, speculations, government programs, community cycles, seasonal variations and consumer demand.

The third risk is the increased use of borrowed capital. Most people who forecast events in the agricultural industry are telling us that we are becoming more and more capital intensive and that this will continue into the future. All of this puts more pressure on maintaining a cash flow.

The fourth risk is technology and obsolescence risk. Technology is moving along so fast that equipment we buy can become obsolete before it has been written off.

The fifth risk is casualty/loss risk, or as the member for Welland-Thorold (Mr. Swart) mentioned social and legal risks. It is a matter of the environment, of using various chemicals and the risk a producer takes whenever he uses these materials because of unknowns. These chemicals are used under a great variety of conditions and he may well become liable to some third party.

Then, of course, there is the human risk: the farmer or a member of his family may become involved in an accident.

When a farmer goes through all these risks, finally produces a crop and takes it to the receiver only to discover he has lost because of human frailty or a system that has not guarded against that frailty, he becomes terribly incensed.

8:40 p.m.

There is another reason as well: the low returns in agriculture. I guess there are people who would say that I am out of my head or that I am agreeing with the minister, but agriculture, in the total figure, is a low-risk business if we

look at the statistics on the number of bankruptcies. We have talked about bankruptcies in the past and we are very concerned about them amongst farmers.

If one looks at the statistics on the number of farm bankruptcies, the actual number, as the minister has pointed out, is something like three tenths of one per cent; that is the latest figure. If one goes into other businesses, there is a much higher rate of bankruptcy. For instance, the commonly accepted figure in the restaurant trade is something like 25 per cent of all restaurants that are in operation in a given year will go broke in that given year. The average life is four to five years.

Farming is a low-risk business from the statistics, but it is also a low-return business. I checked the figures back for a number of years in Ontario, taking the total farm investment versus the return, and worked out the percentage return.

The year 1973 was a very high point in agricultural receipts: soybeans hit \$9 a bushel and for a brief period hit \$12 a bushel, and corn was \$4 a bushel and over. Also, the inputs were a great deal cheaper than they are today; I am probably guessing at the figure, but back in 1973 gasoline might have cost in the range of 40, 50 or 60 cents a gallon. In that year the agricultural sector had a return of 7.5 per cent.

But today in agriculture the average return is only 2.7 per cent. Last year, it was 2.8 per cent. All indications are that it is going down. So whenever a farmer has one of these losses, he simply cannot recoup it. For the rest of his lifetime he is going to be affected by that loss, because he does not have returns in the area of 20 per cent, which are common enough in a great many other businesses.

Just to look at general manufacturing in Canada in recent years—and this is taking the average of all the manufacturers in Canada doing something more than \$1 million—the return is five per cent. In the processing industry, it is 10 per cent; that explains why we have so many people trying to get into canned tomatoes and starting up factories. The return throughout Ontario in the processing industry is 10 per cent. Again, one of the reasons we need this protection is because the farming industry return is so small.

I join my friend the member for Huron-Middlesex in pleading with the minister: if he does not agree with the particular wording and the avenue we have taken on our amendments, at least accept the principle and bring in amend-

ments of his own. We are not concerned about who gets credit; we simply want the thing to happen.

Hon. Mr. Timbrell: Mr. Speaker, I will be brief so that we can get into committee of the whole House and deal with the various amendments which members opposite, and I for that matter, would like to propose.

In answer to the points raised by the member for Huron-Middlesex and to some extent by the member for Kent-Elgin—

Mr. Sargent: Please turn his microphone up; I cannot hear the guy.

Hon. Mr. Timbrell: Perhaps the member for Grey-Bruce should turn his ears up.

There is nothing in this act, nothing I could put in this act, nothing in any act that could prevent bankruptcy. There is no way I would even try to present a piece of legislation that purported to do that, because everybody would know it was a hoax.

This legislation is to deal with the storage of grain. This legislation preserves the right of the producer to title on his property. Where it refers to sales, they are incidental to storage. It does not deal with sales transactions as such in the normal sense.

I share very strongly the concern my friends opposite have about this matter of protection funds. I will not bore members with details of how the beef cattle protection plan came about. However, it is common knowledge that if it had not been for a certain financial calamity, it would not have been possible to bring that matter to a head in the cattlemen's association as well as among the processors.

I recently began to go through a similar experience with the vegetable producers and the vegetable processors. I am not entirely sure where that will ultimately end at this point because there is no unanimity among those parties.

I can tell members that I have begun to discuss with my senior staff the matter of financial protection funds and what our policy with respect to them should be in the future. As members know, under the Farm Products Payments Act at present, they are voluntary. They can be structured in any way, commodity by commodity, that one might want. Given the way the beef industry is structured, the beef cattle protection plan is set up differently from what one might set up for the grain trade, differently again from what one might set up with the

vegetable or fruit trade, and so on. But I am taking a look at it.

Obviously, I would not want to dismiss out of hand whatever amendment my friend for Kent-Elgin is going to propose. I will wait until I see that. I just want him to know that if I do oppose it and urge the members on this side not to support it tonight, it is not because I lack sympathy for that problem. It is a problem we have to address and one that I am pursuing with my senior staff.

To reiterate the point: the member for Huron-Middlesex said this will not put any money in farmers' pockets. I suppose that is true; but again the point is to emphasize and to enshrine in law their rights to that product until it is sold.

I submit that it is much more than show-window legislation. It is legislation that is widely supported by producers and the trade, because it will cover many situations that have occurred in the past. It will not cover a situation I discussed last week with my friend from Kent-Elgin where there has been fraud. I believe that was the case in Tilbury. In that case criminal law has to take over, although again it does emphasize a need for a fund to cover losses in sales transactions, which we will attempt to cover in the future. So the entire emphasis is on the protection of property and property rights.

The member for Huron-Middlesex referred to US legislation. I had staff go down to the United States about a year ago, particularly when we were looking at the problems of the beef industry with respect to financial protection. They found the plans down there pertaining to the beef industry have an "out" built in. The out, very simply, is that where the producer agrees to waive his rights under that legislation, the whole thing is null and void.

The advice we got from American producer officials and from agricultural bureaucrats was that the waiving of rights has become very common. Deals are made behind the scenes, under the table—call them what you will—for whatever considerations. If anything, that is show-case legislation: it looks good until you get into all these exemptions or waiving of rights by the producers.

The concerns members opposite raised about the problems of storage and the rights and needs of the producers will be covered by the extensive powers. If we were dealing with some other matters, we would not be so unanimous in our views of whether or not the inspector should have these kinds of powers—to move in, to seize, to padlock, to remove, to sell and those

kinds of things. The powers of the inspector are such that we believe this legislation will cover most of what can be covered, except cases of fraud and the day-to-day course of sales transactions, which we discussed a minute ago.

8:50 p.m.

I had a chance beforehand to talk with the member for Welland-Thorold about a couple of his amendments, one of which I am prepared to accept when we get to it. He suggests removing the words "or by a court of competent jurisdiction" from subsection 15(1). I do not think it makes any difference, quite frankly, because it goes without saying that any part of any act of this Legislature is subject to judicial interpretation. All we have done in drafting this is to say so; so if it comes out, it is really of no consequence.

On the matter of maintenance of insurance coverage on products stored, I indicated to the member beforehand that I felt we could cover his concerns through the regulations by conditions attached to licences, and I undertake to do that. Based on only 45 minutes or maybe one hour of having seen this, I am reluctant to accept it tonight, but I give the undertaking to draft and propose to cabinet, under the regulations section, wording that I think will cover his concerns, which I do share and which I do understand. I am simply reluctant at the 11th hour to accept something we could find out after the fact causes problems completely unforeseen tonight, whereas with regulations we have got some time to deal with it. I am glad he raised it. I think it is a very good point, and we will move through the regulations to address it.

Motion agreed to.

Bill ordered for committee of the whole house.

House in committee of the whole.

GRAIN ELEVATOR STORAGE ACT, 1983

Consideration of Bill 40, An Act to revise the Grain Elevator Storage Act.

On section 1:

The Acting Chairman (Mr. Robinson): Mr. Timbrell moves that clause 1(d) of the bill be struck out and the following substituted therefor: "(d) 'farm produce' means beans, corn, grain, grass seeds and oil seeds and all kinds thereof produced in Ontario."

Mr. McGuigan: Mr. Chairman, I spoke this afternoon to Mr. Otis McGregor, secretary-manager of the Ontario Soya Bean Growers' Marketing Board. His board is quite concerned

that the word "soybeans" is not used. I realize that we have "beans" and "oil seeds," but there are about \$200 million worth of soybeans affected by this act. Some of those beans are used as oil seeds and others are used as edible beans.

The board can envision a situation in a law court where beans that were used as edible beans might be claimed to be outside the act. They contend that in the event of a lawsuit a defendant might claim that soybeans used for edible purposes were outside the act because they were referred to under the oil designation.

While I do not have an amendment to move in this respect, I would like to see the minister include soybeans; it is certainly the wish of the Ontario Soya Bean Growers' Marketing Board.

Hon. Mr. Timbrell: Mr. Chairman, all I can say is that we are certain that soybeans are included. If we start to list the various types of beans, we will get into a much broader, lengthier definition and run the risk, I suppose, of missing some obscure product. We are certain that the term "beans" does include soybeans, I can assure the honourable member.

Motion agreed to.

Section 1, as amended, agreed to.

Sections 2 to 14, inclusive, agreed to.

On section 15:

The Acting Chairman: Mr. Swart moves that subsection 15(1) of the bill be amended by deleting the words "or by a court of competent jurisdiction" in the fourth and fifth lines so that the said subsection will read: "All farm produce delivered to a grain elevator shall be deemed to be for storage, and such delivery and storage shall not constitute a sale unless it is established to the contrary in writing."

Mr. Swart: Mr. Chairman, I think I explained this before. Unless further explanation is required by any members, I will just leave it at that. I think it speaks for itself.

Mr. McGuigan: Mr. Chairman, I do not think I have any quarrel with the good intentions of the honourable member, but—

Interjections.

The Acting Chairman: Order.

Mr. McGuigan: This act does create a problem, especially in the fall of the year. Producers deliver their grain to the mill. If they do not like the prices that are prevailing at the time, they get into a situation where in the trade they say farmers are tight holding; they put the grain in for storage and do not sell it. Yet the elevator has markets it has to serve; it has feed markets,

distilling markets and industrial markets. They also want to ship that grain out of their receiving elevators and get it into the elevators here in Toronto, where it is available to the users.

If the farmers are tight holding and the act says the grain cannot be moved unless it has been sold—in other words, it is for storage—with the exception that it can be moved to a terminal elevator, but again to storage, this creates a situation where the buyers, and I am largely talking about the Toronto area, have to turn to imports to supply the trade. This is a great problem and a result that is not wanted.

9 p.m.

They have developed a weird and wonderful system of a great variety of deferred contracts whereby the producer signs the contract and prices are established in a variety of ways. There are a great many variations within the grain trade. I could very well see a situation where there would be a dispute as to whether the product was stored or whether it was sold.

Even by deleting this phrase, in the end, under common justice a judge would have to step in and say whether not a sale had been made. If this were allowed, there would be an impasse.

Hon. Mr. Timbrell: Mr. Chairman, as I said earlier, I will accept the amendment because I really do not think it is of any consequence. I do not say that in a pejorative way. The courts will undoubtedly be called on from time to time to rule on certain sections of this bill, as with any act.

I think the concerns of the member for Kent-Elgin (Mr. McGuigan) will be covered by the amendments I will propose to section 17. Perhaps he was not in the House tonight when I made my opening remarks. I will read for him again what I will be moving. I believe the member for Huron-Middlesex (Mr. Riddell) has this text and perhaps he can share his copy with the member for Kent-Elgin.

I will be moving that a new subsection 4 be added to section 17 that will read as follows:

"Notwithstanding anything in this act, where the owner of farm produce in storage agrees to sell the farm produce on option, payment to the owner by the grain elevator operator on the day on which the farm produce is sold of such percentage of the market price on that day as is prescribed by the regulations is deemed to be due compensation for the purposes of clause 1(k)."

Then I will move an amendment to section 26

that will provide for the prescribing of regulations, setting out what the percentage shall be.

Representations were made to us, particularly by the Ontario Grain and Feed Dealers Association, that there are certain practices that would be completely stymied if this section, as it is, stood baldly and said, "It is the producer's, no matter what, until he has paid for it." It would not allow for the day-to-day practice in the trading of grain. We have seen the point of their argument and have drafted these two sections. I think they will cover their concerns.

Section 15, as amended, agreed to.

On section 16:

Mr. McGuigan: Mr. Chairman, I have an item I want to raise about section 16. It says, "shall so mark and issue to the owner or agent, as the case may be, a weigh ticket for each and every delivery."

As I understand it, one takes the grain to a mill and delivers it to a weigh man. It is dumped into the hoppers and each 1,000 bushels or whatever units they work with is weighed. One gets a ticket that gives the weight. Later on, the bill says this must be surrendered and another ticket issued.

Why does the weigh ticket have to be marked as to whether it is a sales ticket or a storage ticket when another ticket is issued?

Hon. Mr. Timbrell: Mr. Chairman, as I recall, and this goes back some time to discussions we had with the chief inspector, one of the concerns was that the forms which were being issued were quite confusing as to whether the grain was for storage or for sale. It is simply to clarify that and make it more straightforward and, in the event of any future difficulties, to have clean, clear-cut records that can be used in adjudicating any differences.

Section 16 agreed to.

On section 17:

The Acting Chairman: Hon. Mr. Timbrell moves that section 17 of the bill be amended by adding thereto the following subsection:

"(4) Notwithstanding anything in this act, where the owner of farm produce in storage agrees to sell the farm produce on option, payment to the owner by the grain elevator operator on the day on which the farm produce is sold of such percentage of the market price on that day as is prescribed by the regulations is deemed to be due compensation for the purposes of clause 1(k)."

Mr. Riddell: Mr. Chairman, I want to thank

the minister for having his ministry's solicitor phone and offer an explanation for this amendment. I want to be clear that I understand it.

There are many different arrangements that farmers enter into in connection with the sale of their produce. In some cases, they will sell 75 per cent now with the option of selling the rest at some future date, say, by September, with the option of letting it go any time in between if the price is appealing to them.

Am I to understand that, if a farmer enters into that kind of an arrangement where he sells so much of it now and then sells the rest of it at some future time, all the grain the farmer has in storage will have been deemed to have been sold at the time he receives compensation for the 75 per cent of the grain? In other words, this bill will not cover the remaining 25 per cent he still has in storage and has not sold.

If I understand that correctly, I think this is a disincentive for the farmers to use the futures market. Yet I believe the minister is trying to encourage farmers to use the futures market in selling their products. If they are not going to be covered under this kind of option, the farmer is going to say, "I am not too sure I want to gamble on that 25 per cent if I am not going to be covered under Bill 40."

First, let me know if my understanding of this section is right. Second, might it be a disincentive for the farmers to use the futures market?

Hon. Mr. Timbrell: Mr. Chairman, one has to read my proposed amendment in conjunction with clause 1(k) which defines the word "storage." To use the member's example, if a farmer sells 75 per cent on October 1 delivery, then he must be paid right away.

If he puts 25 per cent of his grain in on option, then what this says is, together with the further amendment I will make later on that will provide for the prescription of regulations, he must be paid a certain percentage of the value of the grain on that date. In other words, his risk will shrink and will be reduced to the percentage of the amount placed on option.

I do not believe this will in any way be a disincentive to using the futures market. The member is quite right. Where it is appropriate and prudent, I am encouraging farmers to make greater and better use of the futures market rather than having the whole crop subject to the vagaries of the marketplace.

9:10 p.m.

Mr. Swart: Mr. Chairman, I rise to support this. It seems to me the amendment provides

another option. It provides the same kind of security for that option as the bill does generally, and provides the identity of ownership. Therefore, we in our party will support this amendment.

Section 17, as amended, agreed to.

Section 18 agreed to.

On section 19:

Mr. McGuigan: Mr. Chairman, a number of perils are covered by the insurance, on which we agree, although I wonder whether hail is a peril for grain in storage. The one I am concerned about is grain silos that are subject to collapse simply from weight and age, not from an explosion, water or a number of things. Sometimes the soil underneath the silo will give way and it will slip and collapse.

I remember seeing—I guess it is perhaps dated—in Life magazine that there was a grain mill in the United States mid-west where a whole row of 20 or 30 silos tipped over. I wonder if any consideration has been given to collapse.

Hon. Mr. Timbrell: Mr. Chairman, I cannot say we did; I am not sure. If we could come back to that, I would like a chance to consider whether it could be included.

Mr. Di Santo: Mr. Chairman, I was actually surprised the minister answered the way he did; no, I was not surprised. Section 19 talks of "damage by fire, lightning, explosion, wind-storm and hail to the full market value." I would like to ask the minister where has he had that experience in Don Mills? I do not think he has had an experience of that kind.

Hon. Miss Stephenson: How about Downsview? Have you had greater experience in Downsview?

The Deputy Chairman: Order.

Mr. Di Santo: Well, the rural member, Mrs. Bette Stephenson—

Hon. Miss Stephenson: No, you cannot say that.

Mr. Di Santo: That is what the Minister of Intergovernmental Affairs (Mr. Wells) calls her, without any malice. We were at a meeting three weeks ago and he said "Bette Stephenson." I think that is the way we can pronounce her name.

I would like the minister to tell us why he did not think the problem my friend raised was an important one. Is it because he has no experience at all in this area or because he does not think it is important?

Hon. Mr. Timbrell: I think that is probably a very good suggestion. Inasmuch as the honour-

able member must have been speaking away from his microphone, I could not understand a word he said. He must have been speaking away from his microphone. It was all mumbled. I am sorry.

Mr. Di Santo: I would like to ask the minister to give a justification of what he just said because I do not think it is fair he should accuse me of not being able to express myself properly.

Hon. Mr. Timbrell: I meant no offence to the honourable member. It is just I could not understand what he was saying. It is as simple as that.

Mr. McGuigan: I do not want to nitpick, but there is a question of temporary storage. Sometimes in the fall they store grain on the ground, and I wonder whether this is covered in subsection 19(6).

Hon. Mr. Timbrell: Is the member talking about grain stored by the grain elevator operator, or is he talking about a temporary storage?

Mr. McGuigan: A temporary storage under the open sky.

Hon. Mr. Timbrell: Unless it was grain received by a licensed grain elevator operator, I would not think it would be covered. I think the member is probably referring to a host of temporary storages that people effect for themselves or maybe pool with neighbours, that sort of thing. Unless it is a product that has been received by a licensed grain operator, it would not.

I draw the member's attention to subsection 20(4), which does allow a licensed grain elevator, with the permission of the chief inspector, to make temporary arrangements, but it would still have to be received by a licensed grain elevator operator who would be responsible for it.

Section 19 agreed to.

Sections 20 to 24, inclusive, agreed to.

On section 25:

The Deputy Chairman: Mr. McGuigan moves that section 25 of An Act to revise the Grain Elevator Storage Act be renumbered section 27 and in its place substituted:

"25. (1) Every grain elevator operator shall, at the time that a purchase is made from a producer, issue a payment for the grain which is delivered in person or mailed not later than the end of the next working day, or cause the payment money to be deposited in a designated trust account to the benefit of the producer.

Money in a trust account shall be available for payment to the producer on demand.

"(2) Money in the designated trust account shall not be used for any purpose other than to pay producers for the farm produce under clause 1(d)."

Mr. McGuigan: Mr. Chairman, I would like to make one comment in reply to some other remarks by the minister. It arose out of the fact that under the Stockyard Act in the United States there is an option to opt out of the provisions. I am following my remarks and then the minister's remarks that were made in committee.

I phoned yesterday to the administrator of the Stockyard Act, Mr. Billy Jones. He told me he has been administrator for many years and is very familiar with the act. He said it is very rare for a producer to opt out. I do not question the minister's sincerity, but I certainly question the validity of the information he received.

Mr. Jones said that often dealers will opt out of it. He mentioned, too, that when cattle are shipped by rail and the price is not established until after a few days have gone by through the rail-receiving method, the time limits are sometimes exceeded. But he was positive it was a rare event for anybody to opt out of it.

Our purpose in presenting this amendment is simply to highlight the serious flaw we see that exists in regard to protection. I know the minister has said there are other means.

Hon. Mr. Timbrell: Mr. Chairman, on a point of order: I have not yet received a copy. I have tried to listen carefully to what the member read, but it would help me greatly if I could see a copy of what he is speaking to.

9:20 p.m.

Mr. McGuigan: This covers the problem I mentioned that occurred in the case of the Tilbury Farmers' Co-operative, where the bank reached in and took money that really did not belong to it because it belonged to the producers.

In that situation the producers established a trust fund to try to bail the company out of its difficulties. The bank even tried to seize that money, but eventually it did give back 100 per cent of it to the producers because it was a trust account. In the case of the moneys that were in the general pool, to the present time the producers have received about 30 cents on the dollar. There may be some further moneys available when everything is completely wound up.

This is to protect it in that regard. I do not think there is anything more I need to say.

Mr. Swart: Mr. Chairman, in discussing the amendment by the member for Kent-Elgin, I have to say I do not believe the amendment really fits into this bill. It deals with a different issue. I said that before.

In a sense, it also complicates the bill because what we are really doing in this bill is identifying who owns the grain within the elevator. We are trying to define that carefully in the bill itself, and it does not have to do with payment. However, because I believe in the principle of this amendment, our party is going to support it.

There have been all kinds of producers across this nation who have lost money and who would have received payment if this kind of clause had been in some bill someplace. I am not going to miss the opportunity, therefore, to incorporate it in this bill even though it may be the wrong place to do it.

I recall that for years the party on my right talked about the need to elect the chairman of the council of Metropolitan Toronto. They said he must be elected. In this party, when the minority government moved an amendment which would have accomplished that and could have got it through, the Liberal Party voted against it because it did not think that was where it should be.

I am not going to make the same kind of mistake the Liberals did. I am going to support this.

Hon. Mr. Timbrell: Mr. Chairman, with respect, I do not think what the member has proposed meets the objective he outlined in his earlier remarks this evening. I raised this very question with my staff at one of the meetings where we were discussing this legislation. I thought the answer I got was a good one. It indicated why it really was window-dressing.

The analogy which was drawn was to the legal profession. In the legal profession, by statute, although I cannot quote which one or which section, each lawyer must have a trust account into which moneys belonging to his or her clients go, and which can only be expended on behalf of those clients.

But from time to time there are cases of fraud, an unauthorized or inappropriate use of those funds, which usually, when detected, leads to disbarment. The law society has a fund established to which the aggrieved party or parties can then apply for compensation.

I really do not think this meets the member's objective. I know what he is trying to get at and

we discussed it earlier. I assure him we are looking at the whole question of the compensation fund and whether the current legislation, as it is structured, should continue or be revised in some way. I submit this would add an additional cost to the business of storing grain which would likely be passed on to the producers and which would not afford them any real additional protection. I regret we cannot support the amendment.

Mr. Riddell: Mr. Chairman, would the minister tell us what protection a producer has in the case of fraudulent practices on the part of the grain elevator operator who has gone into bankruptcy because of those practices? The minister says it is covered under criminal law. That may well be, but we can rest assured that the creditor who has been dealing with the grain storage operator on whatever practices led to the fraudulent charges is going to get his money and the farmer is still going to be left out in the cold.

That is the reason we are making this amendment. We want to make sure the farmer is going to get some protection. It happens many times. In a case where an elevator operator gambles on grain in storage which he does not own, because he happened to do some buying on the futures market, and then had to cover his flanks by making up for that grain so he started gambling on the grain in storage, if something happens the farmer gets no protection.

We are asking what kind of protection the farmer gets in cases of fraudulent practices on the part of the grain elevator operator.

Hon. Mr. Timbrell: This bill enshrines the principle that the grain in storage is the property of the producer until he is paid. Neither this bill nor any other bill can give absolute protection against fraud. There is nothing that can do that. If somebody is intent on breaking the law, however it is structured, there is nothing I can do nor the honourable member can do in the Grain Elevator Storage Act that is going to prevent that.

In those cases, that is where we get into the question of a compensation fund in the industry, how it should be structured, who should contribute to it and what conditions should prevail with respect to reporting of sales transactions, etc. In answer to the concerns raised by the member earlier and raised by the member for Kent-Elgin and the member for Welland-Thorold (Mr. Swart), those are the kinds of things I indicated I am looking at, not just for grain but for all commodities with respect to compensa-

tion funds under the five-year-old or six-year-old legislation we have in place.

The Deputy Chairman: All those in favour of Mr. McGuigan's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Shall section 25 stand as part of the bill?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Section 25 agreed to.

On section 26:

The Deputy Chairman: Mr. McGuigan moves that section 26 be renumbered as section 28 and the following substituted:

"26. every grain elevator operator shall post a performance bond to cover the maximum amount for which the elevator operator would be liable to the producer under the terms and conditions of a deferred sales agreement."

Mr. McGuigan: Mr. Chairman, while we recognize the 75 per cent is taken care of at the time of sale, in the meantime 25 per cent of the producer's money is in the hands of the elevator operator. As my friend the member for Huron-Middlesex has said, it can be used for a number of purposes. In the event that bankruptcy occurred during that interval of time, the producer would not be covered for his 25 per cent other than whatever residual came out of the bankruptcy operation.

9:30 p.m.

We looked into the matter of a bond and we understand that when the original act was passed in 1970, officials from the ministry canvassed the people who provide bonds for commercial purposes. They said the amount of money involved is so great—we would have to agree we are talking about not millions of dollars but probably \$1 billion or more—it simply would not be practical to have a bond that would cover all the grain transactions within Ontario. We think a bond that covered this aspect of the situation would not be onerous to the trade and it would cover the situation.

Just to make a general comment on some of the earlier remarks, we looked to a number of ways of trying to solve this situation, one of them being that we audit the books of the grain companies to determine whether or not they were gambling, just as trust company books and

banks' books are audited to see things are being done properly.

Recent experience with trust companies has undermined our confidence in that system, but our friends in the grain trade have told us that even if such legislation is brought in, there are ways of circumventing it. It is as easy to get into the grain gambling business as picking up the phone, placing an order with a broker who places it in Chicago, and making a notation on the desk blotter to keep your own set of books in line; and this would not be available to an auditor. So we decided that was not the route to go. It leaves very few routes available.

We could probably all agree we would like to see a fund established, but I think the minister will have to forgive us for being a little cynical when we see we have to have major bankruptcies and people being offered as sacrifices to the sheriff before we see any movement in that area. I have covered that argument many times and I do not intend to repeat it. We simply bring these amendments today to try to drive home the need for financial protection.

Mr. Swart: Mr. Chairman, I put forward much the same arguments as I did on the last amendment. This does give an added degree of security to the producer, of course, if it is included in the bill. Again, it seems to me that this may not be the place for it, but because we have the opportunity to give this added security, I am going to support it.

Mr. Riddell: In the example I used in my previous comments, it should have been in the case of where a grain elevator operator sells on the futures market and then finds he is short of grain he actually owns. He then tries to make it up from the grain that is in storage. You cannot blame the elevator operators for playing the futures market. They are trying to do it in the best interest of farmers, but sometimes they get caught. Then they reach into grain that is in storage.

What we are saying is there is no protection for farmers in this case in the event the elevator operator happens to go into bankruptcy.

Hon. Mr. Timbrell: Mr. Chairman, I will briefly say that we looked at this when the Ontario Grain and Feed Dealers Association came in to see us. They were talking about bonds covering all grain moving into the various optional trades. It was our feeling we were better to go with the amendments I have already proposed to section 17 and those I will propose to section 26.

The advice I had was that the cost of these performance bonds is, in fact, high. The large elevator operations, such as the one in the Kent-Elgin riding operated by a well-known local supporter of this government, would not be bothered by the additional cost because they could pass it on. Our concern was with the very small elevator operators around the province. They might not be able to get such bonds because of their size and the volume of their business, and if they did, it might become a prohibitive factor relative to their ability to compete with other operations. The larger ones would enjoy economies of scale.

Secondly, those who could not get the bonds would be out of it altogether. They would be restricted to straight storage and would not be in a position to trade options at all. After discussions with the grain and feed dealers, we opted to go with what I put before you. Therefore, I cannot accept the amendment.

The Deputy Chairman: All those in favour of Mr. McGuigan's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

The Deputy Chairman: Mr. Swart moves that clause 26(h) of the bill be amended by adding thereto the following subclause:

"(i) establishing a fund for the protection of owners of farm produce who deal with the grain elevator operators who do not have valid insurance under section 19, and requiring grain elevator operators or classes of grain elevator operators to pay levies into the fund."

Mr. Swart: Mr. Chairman, I will be brief because we mentioned this before. In the present act there is a loophole, which I think is recognized. I move this amendment for two reasons, even though the minister has indicated that he will endeavour under the regulations to plug that loophole. I am not suggesting he does not say that in good faith. I know from experience in this House that sometimes a bill will be passed, and then an amending bill comes in and changes the one made in the regulations, and it goes on for months and months and years and years. We need a backup fund because, under the bill as it now stands, if an elevator operator lets his insurance lapse for any reason and that insurance covers the producer's crop which is in his elevator, that producer would lose.

Therefore, when we have the opportunity, I

think we should try to plug this loophole and this is the way we do it.

As I said before, it is done in a manner already set by the government in many other areas.

Mr. Riddell: Mr. Chairman, I fail to understand the New Democratic Party. I do not know how many times my colleague and I have stood in the House and told the Minister of Agriculture and Food that a fund should have been established in connection with this bill. The member for Welland-Thorold has stood in his place many times tonight and said there is no room in this bill for the establishment of a fund; it is against the principle. Now the NDP member stands in his place and says he wants a fund established.

It just goes to show the NDP members are so confused it is pitiful. I am convinced they do not know a thing about agriculture, particularly so after the member for Welland-Thorold stood in his place and said there should be no futures market buying and selling in connection with agricultural products. Does he recall that? That just shows how much that party knows about agriculture.

9:40 p.m.

Hon. Mr. Timbrell: Mr. Chairman, as I mentioned earlier in the evening, I cannot accept the member's amendment, but I am committed to addressing the issue he raised. I thank him for raising it. It is a valid point and we will deal with it by way of regulations.

Mr. McClellan: What is the minister saying? I cannot understand him.

Hon. Mr. Timbrell: No wonder; your mouth is flapping, you cannot hear me.

The Deputy Chairman: All those in favour of Mr. Swart's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

Mr. McGuigan: Mr. Chairman, clause 26(e) reads, "prescribing the form, terms and conditions of an agreement to sell." I wonder if the minister would take it as a commitment to write in the regulations that words should appear on sales agreements to the effect that by signing an agreement, the producer is waiving or letting go his rights to protection under the Grain Elevator Storage Act.

When I talked to producers in the Tilbury situation, I know many of them were under the impression that they had nothing to worry about because the Grain Elevator Storage Act was

going to protect them. That is a false impression, but it is held by many people. The people in the United States told me that in their situation, when people sign those agreements they have a warning that they are opting out.

Hon. Mr. Timbrell: Mr. Chairman, I would ask the member to look at clause 1(k), which says, "... the ownership shall remain in the owner of the farm produce until such time as the owner has sold the farm produce and has received due compensation or has removed the farm produce from the elevator." I think his concern is covered.

The Deputy Chairman: Hon. Mr. Timbrell moves that section 26 be amended by relettering clause (i) as clause (j) and by adding thereto the following clause:

"(i) prescribing a percentage for the purposes of subsection 17(4);"

Motion agreed to.

Section 26, as amended, agreed to.

Sections 27 to 29, inclusive, agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Timbrell, the committee of the whole House reported one bill with certain amendments.

GRAIN ELEVATOR STORAGE ACT

Hon. Mr. Timbrell moved third reading of Bill 40, An Act to revise the Grain Elevator Storage Act.

Motion agreed to.

CREDIT UNIONS AND CAISSES POPULAIRES AMENDMENT ACT

Hon. Mr. Elgie moved second reading of Bill 71, An Act to amend the Credit Unions and Caisses Populaires Act.

Hon. Mr. Elgie: Mr. Speaker, it is with pleasure that I move second reading of the bill to amend the Credit Unions and Caisses Populaires Amendment Act, 1976.

As I indicated when I introduced the bill, there are five main thrusts: first, to increase deposit insurance from \$20,000 to \$60,000; second, to convert the Ontario Share and Deposit Insurance Corp. to an insurer of shares and deposits only; third, to bring into legislation those lessons learned over the past two years as they relate, for example, to the matching of loans, investments and deposits, statutory reserves, retained surpluses and capital, and conflicts of interest; fourth, the introduction of compulsory audits for all credit unions and caisses populaires;

and, finally, the provision of additional powers for the director of credit unions so he can move more quickly to address possible future problems that may arise in the credit union movement.

I am pleased to advise the House that the general principles contained in the bill are supported by the various groups consulted by officials. Some requested clarification of some points, such as, for example, the return of OSDIC assessments to credit unions, and these points have been handled to the general satisfaction of the groups involved.

The bill provides a new direction for the leagues of this province, if they wish to avail themselves of the opportunity, through the establishment of stabilization funds as their first line of defence for credit unions unable to adjust quickly to rapidly changing financial and economic conditions. The parameters for such funds will be established by regulation.

Of equal importance is that, to keep premiums down, the leagues would have the facility to ensure that the principles established by legislation and by the ministry are implemented. In turn, the director of credit unions would have the authority to move more quickly than present legislation permits in order to protect the interests of depositors and members generally. Any action taken can be taken only after consultation with the affected parties.

I know that some small credit unions could be concerned about compulsory audits. The special audit report for insurance purposes will be established by regulation and will be tailored to the size of the credit union. A committee was established in January of this year through the Institute of Chartered Accountants of Ontario, and one of the issues it will be asked to address is guidelines for these compulsory audits so they may be tailored to the size of the credit union.

I am confident that this bill will bring a significant improvement and change to the regulatory climate within which the credit union movement operates. It has been developed in consultation with the leagues, with the associations and with individual credit unions, and has their general support.

Mr. Breithaupt: Mr. Speaker, there are a number of themes that require some comment with respect to the legislation before us today. While this bill was introduced only last week and is now before us on second reading, it in fact has been the result of a number of ongoing discussions with the ministry over the last several years.

The results of the events in January with respect to requirements to change the protection under the Canada Deposit Insurance Corp. now see a reflection in this bill, and those increases to \$60,000 will be in place as soon as this bill is in operation.

However, with respect to the other portions of the bill, some time is going to go by, I presume, until those portions are brought forward. The point, of course, is that these other provisions will not come into effect until they are proclaimed by the Lieutenant Governor, and this will allow some development of regulation upon which these other themes are based.

The leading members of the Credit Union Central of Ontario, the Credit Union Managers (Ontario) Association executive and the advisory committee to the Credit Union Central of Ontario board of directors met with my leader, the member for London Centre (Mr. Peterson), and other members of our staff to discuss the proposed legislation only a couple of days ago.

It was clear there are a number of themes in this legislation and many points with which we have no particular quarrel. We note the leagues are given power to maintain stabilization funds upon the authorization of the director of credit unions, and there are some new eligibility requirements for election to the board of directors of a league. In addition, the credit unions are required to match the terms of investments and loans with the terms of deposits and they are prohibited from making loans to corporations or partnerships in which an employee of the credit union has a direct financial interest.

9:50 p.m.

In the accompanying notes dealing with these other themes, the matter of maintaining five per cent of their assets as mandatory permanent capital, as the director may prescribe, and also having the exclusion of league shares in the Ontario Share and Deposit Insurance Corp. assessment from assets qualifying for statutory liquidity, are matters which seem entirely reasonable.

We note the objects and powers of OSDIC are further refined, and deposit insurance protection as well is going to be provided on a premium basis rather than on the capitalization of a deposit insurance corporation. The powers of the director are referred to and there are certain other regulatory powers which are substantially expanded.

Other than those particular areas, there are really three concerns that come forward in this

legislation. The first, which I have referred to, is the immediate increase to cover the deposits up to \$60,000. This is complementary legislation to what we have seen not only on the federal scene, but also here in Ontario with respect to trust companies. That area is particularly welcome.

There are two other areas that do cause some concern. In the first instance we note that audits are going to be made mandatory for all credit unions. That may be of great value, in particular with the larger credit unions, but we understand that OSDIC is accordingly expecting to reduce its staff complement from between 20 and 45 persons. I do not know whether those numbers are entirely accurate, but concerns have been expressed with respect to the loss of that employment.

If these changes are going to be made, which will no doubt increase the work of a variety of chartered accountants around Ontario, it is important, and I think the honourable thing to do, to ensure those persons who may otherwise be laid off from this employment be given some opportunity to continue in the public service if there are positions available to them.

We recognize there are going to be some changes, of course, but I would hope that at least assistance will be given, whether it be by counselling or by a commitment to attempt to find employment opportunities within the public service, to the people who are going to be involved when OSDIC reduces its role to that of a deposit insurer and a gatherer of statistics.

The other theme raised by some persons serving in the smaller credit unions at somewhat more distant points deals with the prohibition of directors of credit unions from serving in a professional capacity on behalf of the credit union. This would mean a lawyer who happened to be on the board would no longer be able to do mortgage or other work for a credit union. Presumably the accountant perhaps in the local community might also be involved in that area.

I recognize the importance of having a certain arm's-length situation here. I do think when the regulations are drawn, however, perhaps depending upon the amount of the assets of the credit union, there may be some possibility of accepting an exception or two in a smaller community. There, the voluntary contribution of that person brought to the board of directors may be valuable and therefore that person should not be entirely precluded from having the opportunity of doing certain legal, accounting or other work for the particular credit union.

I recognize there is a certain conflict-of-interest difficulty.

We are putting the smaller credit unions to the costs of an audit where that has not occurred before. That is a reasonable situation, particularly as we know there may be some arrangements to assist in the cost of audits for those credit unions which may have assets below the \$500,000 mark. Obviously, most of the larger credit unions have had this kind of audit going on for some time, but it is some of the smaller ones that are the particular areas of our concern.

When we look at the press release issued by the ministry on June 16 respecting this bill, we note the minister comments that he had already received letters of support for the amendments from credit union groups representing nearly \$4.5 billion in assets. However, the credit union system, as we see on the first page of that press release, has some \$5.4 billion in assets. Presumably, there are likely some of the smaller credit unions that either did not reply or may have some concerns at least with respect to the auditing costs and with respect to the conflict of directors' services which they have enjoyed over the past and which may now be foreclosed to them.

Those are two themes which may be of greater interest for the smaller credit unions than they are to the practice of the much larger credit unions that represent the bulk of the groups that make up the \$4.5 billion in assets and that have a much more broadly based and developed staff and other facilities of, effectively, the trust company relationship and all of those opportunities that go along with it.

We have those concerns with respect to the audit and with respect to the prohibition of directors serving otherwise. I would hope the minister would at least consider those themes as he proceeds to prepare the regulations and decide whether any exceptions or any opportunity for consideration, depending on the costs or the uncertainty that the prohibition may bring, would relate to the circumstances for the smaller credit unions.

Certainly, we must all be assured that the operations of the credit union system are healthy within Ontario. An industry that has some \$5.4 billion of assets, as referred to by the minister, is something about which we in Ontario can be very proud. The publication on their centennial which I recall was entitled, *To the Credit of the People*, was an exceptionally fine representation of the whole history of this movement

within Ontario. Indeed, it is to the credit of many of the smaller businesses and individual depositors that have made the strength of credit unions important in this province that we recommend these kinds of changes now in the legislation that is before us.

Bill 71 will make some substantial changes, following the difficulties which some of the credit unions had during this past recessionary time when there was some problem in the matching up of funds and there was a requirement in the circumstances to much increase the base of support and the capitalization requirements to ensure the full protection of any depositor's assets.

We seem to have weathered that storm, albeit there were some difficulties at the time. Now we can go on in this bill to clear up a number of these other general areas and improve and strengthen the credit union system within Ontario. We certainly welcome the bill and we are quite prepared to see it brought into completion as quickly as possible so that the variety of the amendments that are here before us tonight will be in place when the regulations are appropriately drawn and the credit union system, we hope, will go from its present circumstance to even greater strength.

Mr. Swart: Mr. Speaker, I rise this evening to speak on this bill in the absence of the member for Ottawa Centre (Mr. Cassidy) and also because I have some personal interest, having been involved in credit unions for quite a number of years.

I think the minister would agree this is not insignificant legislation which we have before us. This is an exceedingly important bill. It makes some real fundamental changes in the credit union system in this province with regard to the Ontario Share and Deposit Insurance Corp. Generally speaking, I think those changes are desirable. Certainly, the increase in the Ontario share and deposit insurance from \$20,000 to \$60,000 is very necessary, in fact urgent, if credit unions are going to keep their place in the financial spectrum. The requirement for audit of all the credit unions, I think, is desirable as well.

10 p.m.

The change in the Ontario Share and Deposit Insurance Corp. to make it just an insurer, rather than a sort of supervisor or inspector of the credit unions, is desirable in principle too. Our caucus has gone on record as supporting

this bill and we are not going to propose any amendments to it.

However, there are two things that bother me, and bother our caucus. One is the lateness of the submission of this bill to the House. I know there were problems. The minister had to have meetings with various groups and so on, but it is not fair to the House to bring in a bill of this significance in the last days of the session. It does not give us the opportunity to do justice to this bill.

That bothers me, because this is the kind of bill that should have a lengthy discussion because of its importance; I am not saying because of its controversial nature, but because of its importance. I fault the minister for not having brought it in sooner so we could have had that necessary time for this bill.

The second matter of real concern to me is—I just found out about this today and I am not sure so the minister can correct me if I am wrong—that the passage of this bill, I understand, is going to mean about 40 people are going to be out of work. Those who work for OSDIC as inspectors and in other ways are going to lose their jobs because the service they perform is going to be passed over to the credit union leagues, the umbrella body there.

I hope the minister will tell us this is not true, that those people are not going to be laid off. For him to bring in a bill on the last sitting day, or at least in the last week, which is going to lay off 40 people, if that is the case, I suggest is not only unfair to this House but is unfair to those people. We do not have the time to investigate and perhaps explore alternatives whereby those people would not be losing their jobs.

For those two reasons, we have some strong reservations about this bill, even though the principle is good, as I have already said. I am not going to take the time to go into all of the details of this bill because they have been dealt with by the minister on two or three occasions, and by the member for the Liberal Party. I, too, could spend half an hour going over all of them. Most of them are desirable.

I want to hear, in particular, an answer from the minister on whether 40 people—or some number out of 65 or some total—are going to be laid off because of what his government is doing in this bill. I want to say this to the minister: if that is the case, I think he should have brought that to the attention of the House when this bill was tabled and let us know all the implications of this bill.

Hon. Mr. Elgie: I want to thank both critics for their comments and, as the member for Kitchener (Mr. Breithaupt) quite rightly pointed out, the credit union movement has been a grass-roots movement in this province that has served its members well, and has served the financial community well. I think the important thing we are learning tonight, with the general consensus that has developed among the credit unions, is that they and we have learned a lot from the past two years' experience.

I certainly understand some of the concerns raised by the member for Kitchener, such as the issue of mandatory audits and the impact it might have on some small credit unions. I might say that one of the central leagues supports the principle, nevertheless, and I might also say there is going to be considerable consultation to try and tailor the audit process in such a way for small credit unions that it will be as inexpensive as possible for them.

I hope the member will agree that a credit union which cannot afford a yearly audit should be doing some very careful soul searching in any event.

Both the member for Kitchener and the member for Welland-Thorold (Mr. Swart) have raised the issue of whether or not there will be any staff reduction as a result of the changing role that takes place in OSDIC. Of course, there will be some staffing implications; the exact numbers, I have to be honest, I am not fully aware of at the moment. The chairman of the commission, of the board of OSDIC, is well aware of this problem. It will not happen with any degree of rapidity and it will not take place without every available facility, in terms of the Civil Service Commission and other options, being fully explored. I think the member knows me well enough that this kind of issue is one that would be paramount in my own mind as well.

The issue of section 4 of the bill was raised by the member for Kitchener. I understand the question he has raised because I have asked it myself. The fact of the matter is it is an amendment that, by and large, has the general approval of most of the leagues. It is one that may affect some individuals in some way that is detrimental, but I have to say it is an issue that has to be addressed.

The issues of arm's-length relationships and conflicts of interest have been major issues the credit unions, as a result of the past two years, have come to face. The fact that the member sensed there is general consensus about these amendments indicates the real way in which

they have decided to face them, even that particular issue.

That is not to say there will not be some individuals who will be adversely affected, and perhaps with some justification; but as a general overall principle, I think there is general agreement that had to be done.

In general, the fact there has been such a consensus is a very good omen for this bill, and I commend the members for their support.

Motion agreed to.

Third reading also agreed to on motion.

EXECUTIVE COUNCIL AMENDMENT ACT

Hon. Mr. Wells moved second reading of Bill 77, An Act to amend the Executive Council Act.

Mr. Nixon: Mr. Speaker, I was not going to say anything about the bill but I have been prevailed upon by my colleagues to do so. I have substantial doubts myself in this bill, but we are following the recommendations of the Commission of Election Contribution and Expenses upon which there is a representative of each party.

Since the increase in this connection is somewhat less than the cost of living, we feel our cabinet colleagues probably deserve this sort of an improvement in their basic indemnity. We know they are going to cut back on some of their unclassified and unreported expenditures, which in this instance have given us so much concern.

But we are prepared to say to you, Mr. Speaker, that under the circumstances described to us repeatedly by the government House leader we are prepared to support the bill at this time.

Mr. Martel: My whip has the stopwatch out and he tells me I have 32 seconds. Like my friend the member for Brant-Oxford-Norfolk (Mr. Nixon) I am sure the commission will be happy we are following their recommendations, for once to the letter of the recommendations.

I might also add it is hoped that, next year, the air flights for cabinet ministers will show up in the expenditures so that across this province it does not show as though back benchers are spending more than cabinet ministers.

The minister might just include that next year, because it is rather an unfair comparison. I am being flashed by the time sign. We, too, will support the bill.

Motion agreed to.

Third reading also agreed to on motion.

10:10 p.m.

LEGISLATIVE ASSEMBLY AMENDMENT ACT

Hon. Mr. Wells moved second reading of Bill 78, An Act to amend the Legislative Assembly Act.

Hon. Mr. Wells: Mr. Speaker, I want to put on the record that this bill, which changes the remuneration for all members of this House and for those people who get additional indemnities, follows the recommendation of the sixth report of the Commission on Election Contributions and Expenses of an increase of not more than five per cent.

Then I wanted to record that we have a decision here—it states right on the top, "Decision from the Inflation Restraint Board." It indicates that in this case, and in the case of the members of the Legislative Assembly, the board decided that since an appropriate adjustment to the compensation rate had been proposed, the changes to the compensation plan conform to the requirements of section 14 of the act and, therefore, may be implemented provided that the compensation rate increase is limited to 4.86 per cent for the 12-month period ending March 31, 1984.

This bill follows the decision of the Inflation Restraint Board in changing all the indemnities by 4.86 per cent, and the expense allowances for members and for the Premier (Mr. Davis), the Leader of the Opposition (Mr. Peterson) and leader of the third party by five per cent.

Mr. Nixon: Mr. Speaker, for all the reasons the minister has brought forward, we are prepared to support the bill, but I felt I should bring to the attention of the minister's colleagues how effective he has been in discussing this matter with his opposite numbers in the other parties. He has really been fearless in putting this before the representatives of the other parties, and has always been an example of moderation and co-operation. I sometimes feel he is not enough appreciated by his colleagues in cabinet or in caucus. His best efforts to make this a better place go unfulfilled and unrewarded.

We do not have any compunction at all in expressing to you, Mr. Speaker, our enthusiastic support for this bill.

Mr. Martel: I am not certain, Mr. Speaker, if those complimentary words from my colleague mean the minister will not be around come fall. That might be the kiss of death, getting commendation from my friend on the negotiations that have gone on. I will not do that to the minister, because they would skewer him over

there. Some of them think he is too soft. My friend the member for Brant-Oxford-Norfolk and I know differently. He is a tough negotiator and helps to keep this place going.

Might I say one thing in the act I am delighted about is the move to set up a system which removes Mr. Speaker from having to make decisions with respect to problems in this building. We have agreed on a procedure that establishes a commission and the person who is aggrieved nominates his own representative. I think that goes a long way—I hope I am speaking on the right bill; I think I am—to improve conditions and we will endorse the bill. Time is up again.

Motion agreed to.

Third reading also agreed to on motion.

Mr. Bradley: Here we go, the Teachers' Superannuation Act.

Hon. Mr. Wells: No, Mr. Speaker, at this point we have no other legislation to bring forward.

Mr. Conway: Didn't I hear that Bette got two raises and the teachers are still waiting to get one?

Hon. Mr. Wells: They will do all right, you watch.

With the consent of the House, I would like to revert to motions so I could make three motions.

Mr. Speaker: Do we have the concurrence of the House?

Agreed to.

MOTIONS

COMMITTEE SUBSTITUTIONS

Hon. Mr. Wells moved the following substitutions be made on the standing and select committees:

Select committee on the Ombudsman: Mr. Breithaupt for Mr. Boudria; Mr. Di Santo for Mr. Lupusella.

Standing committee on resources development: Mr. Hennessy for Mr. Piché; Mr. Wrye for Mr. J. A. Reed; Mr. Lupusella for Mr. Stokes.

Standing committee on social development: Mr. Mackenzie for Mr. Allen, for the committee's hearings on the subject of child abuse during the recess; Mr. Conway for Mr. McGuigan, for the committee's hearings on Bill 42 during the recess; Mr. Brandt for Mr. McNeil; Mr. Gillies for Mr. Runciman; Mr. Cureatz for Mr. Shymko.

Motion agreed to.

COMMITTEE SITTINGS

Hon. Mr. Wells moved that, notwithstanding the adjournment of the House, the committees scheduled to meet on Wednesday, June 22, and Thursday, June 23, be authorized to meet on these days.

Motion agreed to.

SUMMER RECESS

Hon. Mr. Wells moved that when the House adjourns today it stands adjourned until October 11, 1983, provided that if it appears to Mr. Speaker, on the advice of the government, that the public interest requires the House to meet at an earlier time, Mr. Speaker may give notice and thereupon the House shall meet at the time stated in such notice, and that should Mr. Speaker be unable to act owing to illness or other cause, the Deputy Speaker or the Deputy Chairman of committees of the whole House shall act in his stead for the purpose of this order.

Motion agreed to.

Hon. Mr. Wells: Mr. Speaker, the Lieutenant Governor awaits in his chambers to come in and give royal assent to certain bills.

ROYAL ASSENT

Hon. Mr. Aird: Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Assistant Clerk: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 40, An Act to revise the Grain Elevator Storage Act;

Bill 58, An Act to amend the Municipal Act;

Bill 62, An Act to amend the Labour Relations Act;

Bill 64, An Act respecting certain Health Facilities;

Bill 65, An Act to amend the Public Service Superannuation Act;

Bill 66, An Act to amend the Workers' Compensation Act;

Bill 71, An Act to amend the Credit Unions and Caisses Populaires Act;

Bill 72, An Act to amend the Expropriations Act;

Bill 73, An Act to amend the Retail Sales Tax Act;

Bill 77, An Act to amend the Executive Council Act;

Bill 78, An Act to amend the Legislative Assembly Act;

Bill Pr18, An Act to revive the United Native Friendship Centre;

Bill Pr20, An Act respecting the Bernard Betel Centre for Creative Living;

Bill Pr23, An Act to revive The Star of Progress Spiritual Church;

Bill Pr27, An Act respecting Morton Terminal Limited;

Bill Pr29, An Act to revive Andonald Enterprises Limited;

Bill Pr35, An Act respecting St. Augustine's Seminary of Toronto.

Clerk of the House: In Her Majesty's name, the Honourable the Lieutenant Governor doth assent to these bills.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

Hon. Mr. Wells: I would like to wish everyone a very happy and hardworking summer. Having looked at the committee schedule which the members of this House have struck for themselves, it is obvious that no one is going to take a very long vacation.

The House adjourned at 10:25 p.m.

APPENDIX A

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

STATUS OF EMPLOYEES

191. Mr. T. P. Reid: Will each ministry list the number of people, in the fiscal year 1982-83 who have been (a) laid off, (b) fired, (c) terminated? What was their (a) employment category, (b) salary level, (c) job description? [Tabled April 29, 1983]

See sessional paper 98.

MINISTRY LAND HOLDINGS

228. Mr. Conway: Would the Minister of Government Services advise the extent of the acres (or number of hectares) of land held by the ministry? [Tabled May 16, 1983]

Hon. Mr. Wiseman: The extent of land held by the Ministry of Government Services is 5,000,960 acres.

232. Mr. Conway: Would the Minister of Northern Affairs advise the extent of the acres (or numbers of hectares) of land held by the ministry? [Tabled May 16, 1983]

Hon. Mr. Bernier: Nil. The Ministry of Northern Affairs does not hold any land.

FOREST MANAGEMENT

296. Mr. Laughren: Will the Ministry of Natural Resources table a comprehensive chart of all forest-management-related expenditures incurred since the adoption of the forest production policy in 1972? Will the ministry include in this chart or charts expenditures incurred under such programs as BILD? Will the ministry present the requested figures, by program area, for each year in addition to providing overall totals? [Tabled May 24, 1983]

Hon. Mr. Pope: Forest-management-related expenditures incurred since the adoption of the forest production policy in fiscal year 1972-73 and the initiation of the policy in 1973-74 have been published in:

1. Public Accounts of Ontario, Ministry of Treasury, Economics and Intergovernmental Affairs, for the fiscal years ending March 31, 1974, to 1977; and Public Accounts of Ontario, Ministry of Treasury and Economics, for the fiscal year ending March 31, 1978, and thereafter.

2. Annual report of the Minister of Natural Resources for the fiscal year ending March 31, 1974, and thereafter.

ONTARIO BICENTENNIAL

297. Mr. Boudria: Will the government table

the report on the background study leading the government to decide that 1984 is the bicentennial of Ontario? If not, why not? [Tabled May 24, 1983]

Hon. Mrs. Birch: These papers were prepared for cabinet consideration, and as is always the case with cabinet documents, they are not available for release.

COST OF TAX ANALYSIS

298. Mr. Nixon: What is the total cost of the research, preparation, printing and distribution of the publication, A Separate Income Tax for Ontario—An Economic Analysis, published by the Ontario Economic Council? [Tabled May 27, 1983]

Hon. F. S. Miller: The following is a breakdown of the total costs of the above publication published by the Ontario Economic Council:

Research, \$177,774.20; preparation—typing and secretarial, editing, proofreading, artwork and graphics, \$16,003.89; printing and distribution, \$9,517.50; total, \$203,295.59.

INSPECTION OF NURSING HOMES

299. Mr. McClellan: Will the Minister of Health advise the House:

- (a) How many times and on which occasions were the following nursing homes inspected by the nursing home inspection service during 1982: Barton Place, Good Samaritan, Country Place, Lakewood?

- (b) What, if any, violations of the Nursing Homes Act and regulations were recorded by the ministry inspector and on what dates were such violations recorded?

- (c) What action was taken to correct any such violations of the act, and when was such corrective action taken?

- (d) What penalties were imposed for violations of the act? [Tabled May 20, 1983]

300. Mr. McClellan: Will the Minister of Health advise the House:

- (a) How many times and on which occasions were the following nursing homes inspected by the nursing home inspection service during 1983: Barton Place, Good Samaritan, Country Place, Lakewood?

- (b) What, if any, violations of the Nursing Homes Act and regulations were recorded by the ministry inspector and on what dates were such violations recorded?

(c) What action was taken to correct any such violations of the act, and when was such corrective action taken?

(d) What penalties were imposed for violations of the act? [Tabled May 20, 1983]

See sessional paper 99.

MINISTRY OFFICE SPACE

301. Mr. Conway: Would the Minister of Municipal Affairs and Housing indicate whether or not his department will be occupying space in the new Maclean-Hunter building at College Park? If so, how much space, when, and at what cost? What space will the department be vacating where, and what, if any, plans does the Ontario government have for the space to be vacated? [Tabled May 31, 1983]

Hon. Mr. Bennett: The Ministry of Government Services has recently completed a review of space requirements for all ministries. As part of the overall "Metrolplan" put together by that ministry, it was recommended that the Ministry of Municipal Affairs and Housing consolidate its head office operations at 777 Bay Street, College Park, by November 1, 1983. The ministry will occupy some 265,000 square feet of office space at a net rental of \$12 per square foot for the first two years, rising to \$22 per square foot for the remaining nine years and five months of the lease agreement.

This ministry currently occupies almost 312,000 square feet of office space in six locations, i.e., Hearst Block, Mowat Block, 56 Wellesley Street West, 863 Bay Street, 60 Bloor Street West and 101 Bloor Street West. Thus, consolidation in one location will enable the ministry to continue to meet its mandate with 15 per cent less space and at a reduced rental cost.

My colleague the Minister of Government Services (Mr. Wiseman) can advise you of what is planned for the space we will be vacating.

WCB PSYCHIATRIST

302. Mr. Di Santo: Will the Minister of Labour table the following information:

Is it true that the resident psychiatrist of the Workers' Compensation Board, who expresses his opinion on WCB claims, works only half days, and that while he works at the board he sees patients as well as dealing with files? Can the minister advise if that is the reason it takes months before a decision is made in cases involving a psychiatric consultant's opinion? [Tabled June 1, 1983]

Hon. Mr. Ramsay: The board "resident"

psychiatric consultant is employed on a full-time basis and has been so since 1978. Prior to 1978 he was employed on a part-time basis, spending approximately 50 per cent of his time working in the board's medical branch.

In addition to the full-time psychiatric consultant, the board also employs part-time psychiatric consultants, one at head office and several at Downsview, Ontario.

During his regular and normal working hours, the full-time psychiatrist handles only WCB cases. Regarding time lags, the average time from the date the full-time psychiatric consultant receives the worker's file until the necessary full investigation is carried out and the decision is recorded in the file is only four weeks.

INJURED WORKERS HIRED BY WCB

305. Mr. Di Santo: Will the Ministry of Labour table the following information: How many injured workers have been hired by the Workers' Compensation Board, after rehabilitation, from 1975 to 1983? Can the ministry also inform how many of the workers hired are still working at WCB? [Tabled June 3, 1983]

Hon. Mr. Ramsay: The number of injured workers hired after rehabilitation was not monitored until 1979.

A total of 36 injured workers were hired between 1979 and 1983. Of these 36, 24 have remained in the employ of the Workers' Compensation Board.

CASE OF ROGER CROWDER

306. Mr. Renwick: 1. Why has Roger Crowder been detained in the Metro East Detention Centre since July 2, 1981?

2. What are the particulars of the charges against him, of his court appearances and of the disposition of the charges? [Tabled June 6, 1983].

Hon. Mr. Leluk: 1. Roger Crowder—date of admission, July 2, 1981. He is at present serving a sentence following conviction on two charges. He has not been transferred to a federal penitentiary because he is facing further charges.

2. Charges and disposition, April 27, 1982: (1) robbery, sentenced three years; (2) intent to cause bodily harm, not guilty; (3) conspire to commit robbery, dismissed; (4) conspire to wound, dismissed; (5) wilfully obstruct a police officer, not guilty; (6) assault a police officer, sentenced 18 months consecutive.

Committed for trial on charges—trial date,

September 6, 1983: (1) assault peace officer—three charges; (2) assault causing bodily harm.

Court appearances: (1) July 2, 1981, remanded; (2) July 3, 1981, remanded; (3) July 9, 1981, remanded; (4) September 1, 1981, committed for trial; (5) September 16, 1981; (6) December 14, 1981; (7) February 8, 1982; (8) February 10, 1982; (9) February 11, 1982; (10) February 17, 1982; (11) February 19, 1982; (12) February 22, 1982; (13) February 23, 1982; (14) February 24, 1982; (15) February 25, 1982; (16) February 26, 1982; (17) March 5, 1982; (18) April 6, 1982; (19) April 27, 1982, sentenced on two charges; (20) May 14, 1982, remanded; (21) November 25, 1982, committed for trial; (22) February 28, 1983, bail application—abandoned; (23) March 30, 1983, committed for trial to appear on September 6, 1983.

RESPONSE TO PETITION

STOLLERY LAKE TRAILER PARK

Sessional paper 60: Petition tabled in the House on May 19, 1983, by Ms. Copps, MPP, on behalf of certain occupants of the Stollery Lake trailer park situated in the town of Elliot Lake:

To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

We, the undersigned, beg leave to petition the parliament of Ontario as follows:

That you will persuade Denison Mines Ltd. to lease or sell to the municipality of Elliot Lake the land now occupied by Stollery Lake trailer park in order to preserve the homes of its 80 resident families.

Hon. Mr. Bennett: 1. The municipal authorities of the town of Elliot Lake have been involved over the past several weeks in the

provision of alternative accommodation for the residents of the Stollery Lake trailer park.

2. The council has accepted that Denison Mines Ltd., the owner of the land, as at present leased to Canadian Mine Enterprises, the operator of the park, requires the land as it contains approximately 400,000 tons of aggregate, which is in short supply, for its tailings dams. Council also considers the Stollery site as too remote from the main community for development as a municipal trailer park.

3. Denison Mines Ltd. has made alternative housing available for its employees while some accommodation may be available from other housing stock for nonemployees of Denison. At the present time the Mathews group has permission to operate a temporary site at the Senator Place Mobile Home Park until December 1, 1986. This site is located within the built-up area of the town on land owned by the municipality. The municipality is currently negotiating with the Mathews group to upgrade the park and renew the current lease on a long-term basis. Failing satisfactory arrangement with the Mathews group, the municipality will, at the expiry of the current lease, upgrade and maintain the park itself, or engage a private company to do so until it is no longer required.

4. The council is currently reluctant to develop a municipally owned and operated trailer park, if a private company is willing to do so.

5. As the problem and its solution are within the jurisdiction of the municipality, ministry intervention, aside from the advising role, would be unwarranted interference in the local government process.

APPENDIX B

ALPHABETICAL LIST OF MEMBERS*

(125 members)

Third Session of the 32nd Parliament

Lieutenant Governor: Hon. J. B. Aird, OC, QC**Speaker:** Hon. John M. Turner**Clerk of the House:** Roderick Lewis, QC

-
- Allen, R. (Hamilton West NDP)
 Andrewes, P. W. (Lincoln PC)
Ashe, Hon. G. L., Minister of Revenue (Durham West PC)
Baetz, Hon. R. C., Minister of Tourism and Recreation (Ottawa West PC)
 Barlow, W. W. (Cambridge PC)
Bennett, Hon. C. F., Minister of Municipal Affairs and Housing (Ottawa South PC)
Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)
Birch, Hon. M., Provincial Secretary for Social Development (Scarborough East PC)
 Boudria, D. (Prescott-Russell L)
 Bradley, J. J. (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breagh, M. J. (Oshawa NDP)
 Breithaupt, J. R. (Kitchener L)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Cassidy, M. (Ottawa Centre NDP)
 Charlton, B. A. (Hamilton Mountain NDP)
 Conway, S. G. (Renfrew North L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Coppins, S. M. (Hamilton Centre L)
 Cousens, D., Deputy Chairman of Committees of the Whole House (York Centre PC)
 Cunningham, E. G. (Wentworth North L)
 Cureatz, S. L., Deputy Speaker and Chairman of Committees of the Whole House (Durham East PC)
Davis, Hon. W. G., Premier (Brampton PC)
 Dean, G. H. (Wentworth PC)
 Di Santo, O. (Downsview NDP)
Drea, Hon. F., Minister of Community and Social Services (Scarborough Centre PC)
 Eakins, J. F. (Victoria-Haliburton L)
Eaton, Hon. R. G., Minister without Portfolio (Middlesex PC)
 Edighoffer, H. A. (Perth L)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
 Elston, M. J. (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Eves, E. L. (Parry Sound PC)
 Fish, S. A. (St. George PC)
 Foulds, J. F. (Port Arthur NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Grande, T. (Oakwood NDP)
Gregory, Hon. M. E. C., Minister without Portfolio (Mississauga East PC)
Grossman, Hon. L. S., Minister of Health (St. Andrew-St. Patrick PC)
 Haggerty, R. (Erie L)
 Harris, M. D. (Nipissing PC)
 Havrot, E. M. (Timiskaming PC)
Henderson, Hon. L. C., Provincial Secretary for Resources Development (Lambton PC)
 Hennessy, M. (Fort William PC)
 Hodgson, W. (York North PC)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Johnston, R. F. (Scarborough West NDP)
 Jones, T. (Mississauga North PC)
 Kells, M. C. (Humber PC)
 Kennedy, R. D. (Mississauga South PC)
 Kerr, G. A. (Burlington South PC)
 Kerrio, V. G. (Niagara Falls L)
 Kolyn, A. (Lakeshore PC)
 Lane, J. G. (Algoma-Manitoulin PC)
 Laughren, F. (Nickel Belt NDP)
Leluk, Hon. N. G., Minister of Correctional Services (York West PC)
 Lupusella, A. (Dovercourt NDP)
 Mackenzie, R. W. (Hamilton East NDP)
 MacQuarrie, R. W. (Carleton East PC)
 Mancini, R. (Essex South L)
 Martel, E. W. (Sudbury East NDP)
McCaffrey, Hon. R. B., Minister of Citizenship and Culture (Armourdale PC)
McCague, Hon. G. R., Chairman, Management Board of Cabinet (Dufferin-Simcoe PC)
 McClellan, R. A. (Bellwoods NDP)
 McEwen, J. E. (Frontenac-Addington L)
 McGuigan, J. F. (Kent-Elgin L)
 McKessock, R. (Grey L)
 McLean, A. K. (Simcoe East PC)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)

McNeil, R. K. (Elgin PC)

Miller, Hon. F. S., Treasurer of Ontario and Minister of Economics (Muskoka PC)

Miller, G. I. (Haldimand-Norfolk L)

Mitchell, R. C. (Carleton PC)

Newman, B. (Windsor-Walkerville L)

Nixon, R. F. (Brant-Oxford-Norfolk L)

Norton, Hon. K. C., Minister of the Environment (Kingston and the Islands PC)

O'Neil, H. P. (Quinte L)

Peterson, D. R. (London Centre L)

Philip, E. T. (Etobicoke NDP)

Piché, R. L. (Cochrane North PC)

Pollock, J. (Hastings-Peterborough PC)

Pope, Hon. A. W., Minister of Natural Resources (Cochrane South PC)

Rae, R. K. (York South)

Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)

Reed, J. A. (Halton-Burlington L)

Reid, T. P. (Rainy River L-Lab.)

Renwick, J. A. (Riverdale NDP)

Riddell, J. K. (Huron-Middlesex L)

Robinson, A. M. (Scarborough-Ellesmere PC)

Rotenberg, D. (Wilson Heights PC)

Roy, A. J. (Ottawa East L)

Runciman, R. W. (Leeds PC)

Ruprecht, T. (Parkdale L)

Ruston, R. F. (Essex North L)

Samis, G. R. (Cornwall NDP)

Sargent, E. C. (Grey-Bruce L)

Scrivener, M. (St. David PC)

Sheppard, H. N. (Northumberland PC)

Shymko, Y. R. (High Park-Swansea PC)

Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)

Spensieri, M. A. (Yorkview L)

Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)

Sterling, Hon. N. W., Provincial Secretary for Justice (Carleton-Grenville PC)

Stevenson, K. R. (Durham-York PC)

Stokes, J. E. (Lake Nipigon NDP)

Swart, M. L. (Welland-Thorold NDP)

Sweeney, J. (Kitchener-Wilmot L)

Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)

Taylor, J. A. (Prince Edward-Lennox PC)

Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)

Treleaven, R. L. (Oxford PC)

Turner, Hon. J. M., Speaker (Peterborough PC)

Van Horne, R. G. (London North L)

Villeneuve, O. F. (Stormont, Dundas and Glengarry PC)

Walker, Hon. G. W., Minister of Industry and Trade (London South PC)

Watson, A. N. (Chatham-Kent PC)

Welch, Hon. R. S., Deputy Premier, Minister responsible for Women's Issues and Minister of Energy (Brock PC)

Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)

Wildman, B. (Algoma NDP)

Williams, J. R. (Oriole PC)

Wiseman, Hon. D. J., Minister of Government Services (Lanark PC)

Worton, H. (Wellington South L)

Wrye, W. M. (Windsor-Sandwich L)

Yakabuski, P. J. (Renfrew South PC)

MEMBERS OF THE EXECUTIVE COUNCIL

Davis, Hon. W. G., Premier and President of the Council

Welch, Hon. R. S., Deputy Premier, Minister responsible for Women's Issues and Minister of Energy

Wells, Hon. T. L., Minister of Intergovernmental Affairs

Bernier, Hon. L., Minister of Northern Affairs

Snow, Hon. J. W., Minister of Transportation and Communications

Birch, Hon. M., Provincial Secretary for Social Development

Bennett, Hon. C. F., Minister of Municipal Affairs and Housing

Miller, Hon. F. S., Treasurer of Ontario and Minister of Economics

Timbrell, Hon. D. R., Minister of Agriculture and Food

Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities

McMurtry, Hon. R. R., Attorney General

Henderson, Hon. L. C., Provincial Secretary for Resources Development

Norton, Hon. K. C., Minister of the Environment

Drea, Hon. F., Minister of Community and Social Services

Grossman, Hon. L., Minister of Health

McCague, Hon. G., Chairman of Management Board of Cabinet and Chairman of Cabinet

Baetz, Hon. R. C., Minister of Tourism and Recreation

Wiseman, Hon. D. J., Minister of Government Services

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations
 Walker, Hon. G. W., Minister of Industry and Trade
 Gregory, Hon. M. E. C., Minister without Portfolio
 Pope, Hon. A. W., Minister of Natural Resources
 Leluk, Hon. N. G., Minister of Correctional Services
 Ashe, Hon. G. L., Minister of Revenue
 Ramsay, Hon. R. H., Minister of Labour
 McCaffrey, Hon. R. B., Minister of Citizenship and Culture
 Sterling, Hon. N. W., Provincial Secretary for Justice
 Taylor, Hon. G. W., Solicitor General
 Eaton, Hon. R. G., Minister without Portfolio

PARLIAMENTARY ASSISTANTS

Andrewes, P. W. (Lincoln), assistant to the Minister of Energy
 Brandt, A. S. (Sarnia), assistant to the Minister of Labour
 Dean, G. H. (Wentworth), assistant to the Minister of Education and the Minister of Colleges and Universities
 Fish, S. A. (St. George), assistant to the Minister of Citizenship and Culture
 Gillies, P. A. (Brantford), assistant to the Provincial Secretary for Social Development
 Gordon, J. K. (Sudbury), assistant to the Minister of Health
 Hennessy, M. (Fort William), assistant to the Minister of Northern Affairs
 Hodgson, W. (York North), assistant to the Minister of Government Services
 Jones, T. (Mississauga North), assistant to the Treasurer of Ontario and Minister of Economics
 Kennedy, R. D. (Mississauga South), assistant to the Minister of Intergovernmental Affairs
 Lane, J. G. (Algoma-Manitoulin), assistant to the Minister of Industry and Trade
 MacQuarrie, R. W. (Carleton East), assistant to the Solicitor General
 McNeil, R. K. (Elgin), assistant to the Minister of Agriculture and Food
 Mitchell, R. C. (Carleton), assistant to the Minister of Consumer and Commercial Relations
 Rotenberg, D. (Wilson Heights), assistant to the Minister of Municipal Affairs and Housing
 Stevenson, K. R. (Durham-York), assistant to the Minister of the Environment
 Watson, A. N. (Chatham-Kent), assistant to the Minister of Community and Social Services

Williams, J. R. (Oriole), assistant to the Minister of Revenue
 Yakabuski, P. J. (Renfrew South), assistant to the Minister of Natural Resources

STANDING COMMITTEES

Administration of justice: chairman, Mr. Eves; vice-chairman, Mr. Mitchell; members, Messrs. Brandt, Breithaupt, Elston, Ms. Fish, Messrs. Gillies, Kolyn, Renwick, Spensieri, Stevenson and Swart; clerk, D. Arnott.

General government: chairman, Mr. Harris; vice-chairman, Mr. McLean; members, Messrs. Cooke, Eakins, Gordon, Haggerty, Hennessy, J. M. Johnson, Jones, Kennedy, McKessock and Samis; clerk, F. Carrozza.

Resources development: chairman, Mr. Barlow; vice-chairman, Mr. Williams; members, Messrs. Andrewes, Dean, Hennessy, Lane, Laughren, Lupusella, Riddell, Sweeney, Vileeneuve and Wrye; clerk, A. Richardson.

Social development: chairman, Mr. Robinson; vice-chairman, Mr. Sheppard; members, Messrs. Boudria, Ms. Copps, Messrs. R. F. Johnston, Kells, Mackenzie, McGuigan, McNeil, Pollock, Runciman and Shymko; clerk, L. Mellor.

Members' services: chairman, Mr. Shymko; vice-chairman, Mr. Havrot; members, Messrs. Charlton, Grande, Hodgson, MacQuarrie, G. I. Miller, Piché, Rotenberg, Ruprecht, Wrye and Yakabuski; clerk, L. Mellor.

Procedural affairs: chairman, Mr. Treleaven; vice-chairman, Mr. J. A. Taylor; members, Messrs. Breaugh, Cassidy, Edighoffer, Epp, J. M. Johnson, Mancini, McLean, McNeil, Rotenberg and Watson; clerk, S. Forsyth.

Public accounts: chairman, Mr. T. P. Reid; vice-chairman, Mr. Harris; members, Messrs. Bradley, Cunningham, Havrot, Kennedy, Kolyn, Philip, Sargent, Mrs. Scrivener, Messrs. Wildman and Yakabuski; clerk, G. White.

Regulations and other statutory instruments: chairman, Mr. Kerr; vice-chairman, Mr. Hodgson; members, Ms. Bryden, Messrs. Cousens, Di Santo, Hennessy, Jones, Kerrio, McEwen, Runciman, Van Horne and Williams; clerk, L. Mellor.

SELECT COMMITTEE

Ombudsman: chairman, Mr. Runciman; members, Messrs. Breithaupt, Di Santo, Eakins, Hennessy, Hodgson, MacQuarrie, Mitchell, Philip, Piché, Shymko and Van Horne; clerk, G. White.

*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month and in the first and last issues of each session.

CONTENTS

Tuesday, June 21, 1983

Second readings

Grain Elevator Storage Act, 1983 , Bill 40, Mr. Timbrell, Mr. Riddell, Mr. Swart, Mr. McGuigan, agreed to.	1933
Credit Unions and Caisses Populaires Amendment Act , Bill 71, Mr. Elgie, Mr. Breithaupt, Mr. Swart, agreed to.	1947
Executive Council Amendment Act , Bill 77, Mr. Wells, Mr. Nixon, Mr. Martel, agreed to	1951
Legislative Assembly Amendment Act , Bill 78, Mr. Wells, Mr. Nixon, Mr. Martel, agreed to	1952

Committee of the whole House

Grain Elevator Storage Act, 1983 , Bill 40, Mr. Timbrell, Mr. McGuigan, Mr. Riddell, Mr. Swart, reported.	1940
--	------

Third readings

Grain Elevator Storage Act, 1983 , Bill 40, Mr. Timbrell, agreed to.	1947
Credit Unions and Caisses Populaires Amendment Act , Bill 71, Mr. Elgie, agreed to. . . .	1947
Executive Council Amendment Act , Bill 77, Mr. Wells, agreed to.	1951
Legislative Assembly Amendment Act , Bill 78, Mr. Wells, agreed to.	1952

Motions

Committee substitutions , Mr. Wells, agreed to.	1952
Committee sittings , Mr. Wells, agreed to.	1953
Summer recess , Mr. Wells, agreed to.	1953

Royal assent

The Honourable the Lieutenant Governor	1953
---	------

Other business

Adjournment	1953
------------------------------	------

Appendix A

Answers to questions in Orders and Notices

Bennett, Hon. C. F., Minister of Municipal Affairs and Housing:	
Ministry office space , question 301, Mr. Conway.	1955
Birch, Hon. M., Provincial Secretary for Social Development:	
Ontario bicentennial , question 297, Mr. Boudria.	1954
Grossman, Hon. L. S., Minister of Health:	
Inspection of nursing homes , questions 299 and 300, Mr. McClellan.	1954
Leluk, Hon. N. G., Minister of Correctional Services:	
Case of Roger Crowder , question 306, Mr. Renwick.	1955
McCague, Hon. G. R., Chairman, Management Board of Cabinet:	
Status of employees , question 191, Mr. T. P. Reid.	1954
Miller, Hon. F. S., Treasurer of Ontario and Minister of Economics:	
Cost of tax analysis , question 298, Mr. Nixon.	1954

Pope, Hon. A. W., Minister of Natural Resources:	
Forest management , question 296, Mr. Laughren.	1954
Ramsay, Hon. R. H., Minister of Labour:	
WCB psychiatrist , question 302, Mr. Di Santo.	1955
Injured workers hired by WCB , question 305, Mr. Di Santo.	1955
Wiseman, Hon. D. J., Minister of Government Services:	
Ministry land holdings , questions 228 and 232, Mr. Conway.	1954

Response to petitions

Bennett, Hon. C. F., Minister of Municipal Affairs and Housing:	
Stollery Lake trailer park , Ms. Copps.	1956

Appendix B

Alphabetical list of members of the Legislature of Ontario, members of the executive council, parliamentary assistants and members of committees.	1957
---	------

SPEAKERS IN THIS ISSUE

Aird, Hon. J. B., Lieutenant Governor
 Breithaupt, J. R. (Kitchener L)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
 Di Santo, O. (Downsview NDP)
 Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
 Martel, E. W. (Sudbury East NDP)
 McClellan, R. A. (Bellwoods NDP)
 McGuigan, J. F. (Kent-Elgin L)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Riddell, J. K. (Huron-Middlesex L)
 Robinson, A. M., Acting Speaker and Acting Chairman (Scarborough-Ellesmere PC)
 Sargent, E. C. (Grey-Bruce L)
 Sheppard, H. N. (Northumberland PC)
 Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
 Swart, M. L. (Welland-Thorold NDP)
 Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Tuesday, October 11, 1983

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back.

An alphabetical list of members of the Legislative Assembly of Ontario, together with lists of members of the executive council and the parliamentary assistants, also appears at the back as an appendix.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Hansard and Sessional Subscriptions, Publications Centre, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, October 11, 1983

The House met at 2 p.m.

Prayers.

DEATH OF MEMBER FOR STORMONT, DUNDAS AND GLENGARRY

Mr. Speaker: Before the routine proceedings, it is my duty to inform the House that a vacancy has occurred in the membership of this House during the adjournment by reason of the death of Osie F. Villeneuve, Esquire, member for the electoral district of Stormont, Dundas and Glengarry.

Hon. Mr. Welch: Mr. Speaker, on behalf of the Premier (Mr. Davis), it is my sad duty to inform the House formally of the death of Osie Villeneuve, member for Stormont, Dundas and Glengarry, on September 25 at the age of 77. Osie suffered a heart attack while in Toronto to attend a dinner with the Premier and other colleagues.

First elected to the Legislature in 1948 following active service in local government, Osie Villeneuve went on to receive the support of the constituents of Stormont, Dundas and Glengarry through eight subsequent provincial elections. He also held office at the federal level, winning election to the House of Commons on two occasions. Thus, for more than 35 years, Osie Villeneuve served the people of the united counties at the local, provincial and national levels of government.

More than the longevity of his service, which stands as a remarkable achievement by itself, it is the quality and nature of that service which so many people have commented on in recent weeks. Osie truly embodied the concept of public life as one of service to others.

Indeed, few constituents have had a harder-working, more concerned or more deeply compassionate representative in the Legislature than the people of Stormont, Dundas and Glengarry. No problem was too small, no request was too minor and no hour of the day was too late to attract the full measure of Osie's interest and effort as he endeavoured to make government responsive to the needs of the people he represented. His efforts brought a very human and humane face to the workings of public institutions.

Osie very much believed that the Legislature played a major role in the life of our province. Whether it was through his effective service on numerous committees, his courteous conduct towards all who worked here or his contributions to debates, ranging in topic from the Constitution to the role of the Speaker, Osie Villeneuve evidenced his love of this chamber and of the traditions for which it stands.

His own sense of decency shaped his view of the Legislature as a forum for reasoned dialogue and for the demonstration of concern for others. This sense of decency was itself shaped by the values acquired from both his family and his beloved community of Maxville. His own upbringing instilled in Osie a belief in tolerance, moderation and a deep commitment to the betterment of relations among all Canadians. He was both a gentleman and a gentle Canadian who, as the Premier noted in his statement of September 26, "demonstrated that public service was very much a profession of high calling."

Osie managed to find time, however, in which to pursue other interests. As members will recall, he was an avid sports fan and maintained a keen interest in and a knowledge of hockey and baseball in particular. His beloved Canadiens and Expos could certainly have benefited from the energy and the dedication he applied to his own endeavours.

A talented and valued friend has been lost to us. We will all miss him greatly but we will keep his memory very much alive, particularly his commitment to our parliamentary form of government. Speaking in this chamber on November 16, 1981, the honourable member who occupied seat number one offered the following advice to his colleagues:

"Tradition, precedent, convention, the rules of the game and a sense of fairness and justice are at the heart of our ways of proceeding, but they are only as valuable as the participants are willing to make them; they are only as good as we are."

I know all of us will agree that the example set by Osie Villeneuve was a very good one indeed. On behalf of the government and the members of the Legislature I extend our deepest sympathies to his wife Alma and the entire Villeneuve family.

We have received a communication from Mrs. Villeneuve and members of the family which she has asked me to communicate to all of us through you, Mr. Speaker. Perhaps I might read it as an appendix to this statement this afternoon.

"Mr. Speaker:

"I would like to express my profound gratitude to you and the members of the Legislature for their thoughtfulness at the time of Osie's passing. All of us in the Villeneuve family were deeply touched by the assistance, the sympathy and the many fine tributes paid to Osie. It was especially moving to see so many members of the House in Maxville for his funeral.

"Above all, we want to thank you for the support and the loyalty and the friendship Osie received during his many years of service as a member of the Ontario Legislature. You helped make his life rewarding and worth while. Although we mourn his loss, we are thankful for many things. Not the least is the record of his service to the people of Ontario. No one summed up his life better than Osie himself. Speaking at the reception in Maxville honouring his 35th year in politics, he said: 'Friends are friends. That is what I want to be and hope to be forever more.'

"Very sincerely, Alma Villeneuve and the family."

Mr. Peterson: Mr. Speaker, 35 years ago in 1948, Osie Villeneuve was first elected to the Ontario Legislature. Over the years and since that time he has given dedicated and comprehensive representation to the people of his riding at both the federal and provincial levels.
2:10 p.m.

Osie—and I point this out to all my colleagues—was rarely absent from the House and the people of his riding were rarely absent from his thoughts. Regarded as he was as the dean of the House in years of service, Osie gave tremendous emphasis to the problems of his constituents. No problem was too small for his attention and no bureaucratic tangle too complex for him to handle. For example, Ontario Hydro is very much in the news these days, but when Osie Villeneuve first came to Queen's Park he kept electric power in the public eye for different reasons, as he fought to bring the blessings of electricity to many communities in Ontario.

While for the most part Osie was content to carry out his responsibilities quietly and away from the spotlight of centre stage, there were times when he brought considerable drama to this House during debates on events or devel-

opments about which he felt strongly and passionately; for example, the invasion of Afghanistan and the Moscow Olympics boycott.

Osie was well liked and respected by members of all parties in the Ontario Legislature, and many new members have had the occasion to be grateful for his good judgement and his wisdom. A man of warmth, friendliness and wide-ranging knowledge, Osie was deeply concerned about individuals' problems, about his province, about his country and, indeed, about the future of the world.

All of us have special personal memories of Osie. Everyone had experiences with him, whether it was breakfasting downstairs or having the benefit of his good humour or his wisdom. When I was at his funeral some 10 days or so ago, I have never been in a place in my life where I felt such a profound sense of loss by everyone as I did at that funeral.

I should say that my own very special memory of Osie was one day in a committee. He was chairman of that committee, and there was a particularly rancorous fight between Dr. Parrott and Dr. Smith as only they could fight, as members will recall. Osie tolerated this for some long period of time and then he turned to the two doctors engaged in a learned and bitter debate and said: "You know I am an old man; you know I am not as smart as you two guys. But if you do not learn to behave like gentlemen and discuss this in an orderly way, I am going to jump up and punch you both in the snoot." With that one remark he changed the tone very substantially.

His passing leaves a gap in this House and in this province that will not easily be filled. He will be sadly missed by every one of us. He was indeed one of a kind.

Mr. Rae: Mr. Speaker, it is with sadness that I rise on this occasion on behalf of my party. I do so as the most newly elected member of the Legislature to pay respect to Osie Villeneuve who, as has already been mentioned, had the longest service of any member in the House.

It is perhaps only on occasions such as this that we as individual members of the Legislature reflect on the kind of people who go into public service and the kind of people who see politics as a very high calling indeed. In fact, whenever I think of the clichés that are often mentioned about politics and politicians, I think all of us might reflect on the extraordinary career of a very dedicated man like Osie Villeneuve who had the respect, I think it can be said, of every member of this Legislature from whatever party

he came, and had the respect, the love and the very real affection and support—Lord knows, he had the support—of the good constituents of Stormont, Dundas and Glengarry.

Osie Villeneuve was very good to me personally when I first arrived here. He joked with me about the fact that before I was elected to the Legislature I had spent some time visiting some cheese and dairy factories in his riding. We joked about the efficacy of my spending a great deal of time in his constituency from a political point of view. We joked about baseball, as the Deputy Premier (Mr. Welch) has already mentioned. He was a very dedicated Expos fan and I, of course, am a supporter of the team that has transformed the city of Toronto.

Osie Villeneuve was loved by his people because he stood by them and stood for them. He worked hard on their behalf and they knew it. He had an extraordinary gift of integrity and of service.

This session will no doubt be contentious and divisive at times and will no doubt raise some tempers. It might perhaps raise a bit of temper in the public about our behaviour too. But as we enter upon our partisan battle, I think it is important that we reflect on those people who may not get all the publicity, who may not get all the attention, but who simply do their job representing their constituents. It is a job all of us try to do; not all of us succeed in doing it as well as Osie Villeneuve did. He did it extraordinarily well, with grace, with dignity and with a gift for friendship that was extraordinary.

Orland French, the columnist with the *Globe and Mail*, who reported on the dinner that was held for Osie Villeneuve marking his 35th anniversary, quoted Osie as saying: "I never had any desire to be anything but a humble backbencher because I knew my limitations. Friends are friends, and that is all we want to be or hope to be forever."

I think today we recognize not Osie Villeneuve's limitations, which Lord knows are not any greater than anybody else's in this chamber, but his quiet achievements. To the Villeneuve family, to Mrs. Villeneuve, Alma, to the people of Stormont, Dundas and Glengarry, on behalf of the New Democratic Party, I want to express our very real feelings of loss and our sense of comradeship with them at this very difficult time.

Mr. Speaker: Thank you. Obviously, Osie Villeneuve is going to be sadly missed by all members on all sides of this House. On behalf of

all members, I would like to pass along our sincerest sympathies to the Villeneuve family.

DEATH OF CLARE MAPLEDORAM

Hon. Mr. Bernier: Mr. Speaker, it is with sadness that I rise in my place today and advise the members of the Ontario Legislature of the passing of a former member of this House, Clare Mapledoram of Thunder Bay. Clare Mapledoram passed away on Sunday in Thunder Bay in his 80th year. As members will recall, he was a member of this Legislature, having been elected in 1951. He was Minister of Lands and Forests from 1954 to 1958.

Clare Mapledoram had a very distinguished career in municipal politics, having been reeve of Neebing township from 1947 to 1951. He was active in the Northwestern Ontario Municipal League from 1950 to 1952. He worked for the Great Lakes Paper Co. for 35 years and was president of the Thunder Bay Chamber of Commerce for several years. He is survived by his wife Mary, one daughter and three sons.

I am sure, Mr. Speaker, that other members will join with me in extending sincere sympathy to the members of his family.

Mr. Speaker: I am sure all members extend to the Mapledoram family their sincerest sympathies.

SUPPLEMENTARY ESTIMATES

Hon. Mr. McCague: Mr. Speaker, I have a message from the Honourable the Lieutenant Governor signed by his own hand.

Mr. Speaker: John B. Aird, the Lieutenant Governor, transmits supplementary estimates of certain additional sums required for the services of the province for the year ending March 31, 1984, and recommends them to the Legislative Assembly, Toronto, October 11, 1983.

2:20 p.m.

RESIGNATION OF DEPUTY SPEAKER

Mr. Speaker: It is my duty to inform the House that a vacancy has occurred in the office of Deputy Speaker of the assembly by reason of the resignation of Mr. Sam L. Cureatz, Esquire. Applause.

Hon. Mr. Wells: Mr. Speaker, I am sure that applause is for the job the honourable member did. We would not want the record to show that people were happy with his leaving.

Hon. Mr. Wells moved, seconded by Mr. Nixon, that the member for Mississauga North (Mr. Jones) be appointed Deputy Speaker for

the remainder of this parliament.

Motion agreed to.

Mr. Conway: Mr. Speaker, if I might briefly have the opportunity of speaking as a private member, I want to say that I think the member for Durham East (Mr. Cureatz) did a very fine job. I want to say to him through you, sir, that I think he deserves our collective thanks, which already have been tendered.

Mr. Speaker: Thank you very much. You took the words out of my mouth. I would like, personally, to extend my thanks for the time Mr. Cureatz devoted to this position and to helping me in particular.

APPOINTMENT TO BOARD OF INTERNAL ECONOMY

Mr. Speaker: I beg to inform the House that I have laid upon the table a copy of an order in council appointing the Honourable Gordon Dean, Minister without Portfolio, a member of the Board of Internal Economy in the place of the Honourable Milton Edward Charles Gregory.

LEGISLATIVE PAGES

Mr. Speaker: As you have all noticed, starting off this session we have a new group of pages with us. I would like to take this opportunity of introducing them to all the members of the House.

Mark Atkins, York Centre; Amie Bond, Mississauga South; Leslie Clarke, Essex North; Jeffrey Dawley, Brampton; Catherine Elgie, St. David; Janet Ferland, Niagara Falls; Kyle Findlay, Durham York; Barbara Frey, Cambridge; Paul Gillard, Carleton-Grenville; Genevieve Gordon, Sudbury; Michael Gordon, London North;

Teresa Iannuzziello, Scarborough East; Diana Liepold, Beaches-Woodbine; Jennifer Mactaggart, Brock; Heather McDiarmid, Algoma; Christopher Overgaard, Prince Edward-Lennox; David Pathe, York East; Andres Quinlan, Hamilton West; Jason Rodney, Huron-Middlesex; Douglas Sage, Humber; Jennifer Sheffield, Lanark, and John Todd, Grey.

I ask you to join with me in welcoming these young people to the Legislature.

STATEMENTS BY THE MINISTRY

URBAN TRANSPORTATION DEVELOPMENT CORP. CONTRACT

Hon. Mr. Snow: Mr. Speaker, it is my pleasure today to be able to announce that this morning in San Jose, California, the Urban

Transportation Development Corp. has signed a contract to supply a minimum of 30 articulated light rail vehicles, for a total value of \$29.8 million in March 1983 United States dollars.

Moreover, the agreement with the Santa Clara County Transit District—won, I might add, against very stiff competition from the international scene—provides for options for an additional 20 vehicles, which could make the contract worth up to \$50 million in Canadian dollars.

The Santa Clara vehicles will be built in Thunder Bay at the Canadian Car manufacturing facility, directly creating 200 man-years of work for that community. Manufacturing of the vehicles is to begin in late 1984, with final delivery in 1986.

The articulated light rail vehicles are based on the modern equipment developed by UTDC for the Toronto Transit Commission. These vehicles have successfully operated for more than 22 million kilometres in passenger service since 1979. They will be used on a new 32-kilometre light rail transit system to serve the historic city of San Jose, the fourth largest city in California, and the rapidly growing Silicon Valley area, known for its concentration of high-technology firms.

This successful contract will complement the other UTDC projects on the west coast, mainly the design and construction of an advanced light rail transit service for Vancouver, British Columbia. It will provide another showcase in the vital Pacific Rim market area for yet another of UTDC's state-of-the-art transportation products and services.

TREASURY'S FALL AGENDA

Hon. Mr. Grossman: Mr. Speaker, I would like to outline for the House some major changes to the budget-making process and to take this opportunity to set forth the legislative activities we anticipate this fall. Both of these are designed to allow for consultation and preplanning by members of this assembly, interested groups and the public.

Mr. Nixon: The Peterson program.

Hon. Mr. Grossman: No. We like office over here.

Perhaps I might begin with an outline of our restraint program agenda. Although an economic recovery is clearly under way in Ontario, it is vulnerable to a renewal of higher levels of inflation. Our government is not prepared to abandon its leadership role in the struggle to keep a lid on inflationary pressures that might

otherwise threaten and destroy a real but fragile recovery.

We are committed to sustaining economic momentum while promoting job creation and providing assistance to those less well-off in society, those hardest hit by the recession. Government initiatives, including our public sector wage restraint program, have provided us with some fiscal flexibility to pursue both of these important objectives.

Further, if expenditure control slips away, the deficit will rise, thus increasing dramatically the cost of borrowing. This would rob us of hundreds of millions of dollars that otherwise might have been available to spend on much-needed programs.

For all these reasons, cabinet approved on September 22 a proposal to introduce legislation continuing for one year our public sector wage restraint and administered price efforts. There is agreement that our new restraint legislation should provide for a return to collective bargaining to the greatest extent possible.

This will be a significant departure from the current Inflation Restraint Act but one we believe is appropriate, necessary and important. By restoring the maximum degree of collective bargaining possible within the parameters of our restraint objectives, we are seeking to introduce the flexibility to overcome certain of the inequities that need to be addressed.

We are indeed aware of the difficulties involved in drafting a piece of legislation which both meets our government's restraint objectives and makes a significant move to return to free collective bargaining. Because of the complexity of the undertaking, we are moving cautiously to ensure that we understand the views and concerns of those affected by the program. We want to provide an opportunity for assessment and discussion of the implications and how we can achieve our combined objectives. As this consultation takes place, we will be able to clarify further aspects of the restraint legislation.

One element of the program will involve a restriction on public sector compensation increases. Details of this restriction are now under consideration, and we expect it will be determined and announced towards the latter part of October. We will be welcoming input on ways in which this limit should be applied. We will also be seeking advice on the administered price provisions of the restraint program.

Given our commitment to undertake a process of open consultation, we expect the new

legislation itself to be ready for introduction around November 1.

2:30 p.m.

The second matter I would like to inform the House about relates to plans we have to open up the budget process in important and innovative ways.

We believe the veil of secrecy surrounding the development of budgets should be lifted. Obviously there are certain elements of revenue policy which must remain confidential until budget day. None the less, in an era when economic problems are complex and need as much analysis and consultation as possible, the current preoccupation with secrecy is, we believe, overemphasized.

We should be able to find ways of opening up the budget process so citizens, interest groups and members of this assembly can participate more effectively. In short, we plan to consult, not conceal, in budget policy decision-making. To help accomplish this, we intend to introduce important innovations to the process this year.

First, an economic and fiscal statement will be tabled in the third week of November. This document will include projections which set the stage for major policy decisions to be taken in the spring budget.

Second, over the course of the next four or five months, we plan to table a number of prebudget papers. Each will deal with a specific issue of budgetary policy.

Traditionally, most budget papers have been tabled with the budget itself on budget day. Therefore, even though they may have made a significant contribution to public understanding of complex issues, they were often overlooked in the attention paid to the budget itself. The papers also tended to be more technical in nature and geared to a limited audience. In this new budget process, we now plan to place more emphasis on wider issues related to economic policy and to address the papers to a broad audience.

By tabling these papers and changing their orientation, we will be sharing with members of this assembly information and analysis that have until now been kept under the hooded purview of the Treasury. The papers will provide a greatly improved basis for public discussion of budget issues as they are being developed, not after the fact.

To facilitate a greater degree of public participation, we will undertake an extensive process of consultation not confined simply to Treasury boardrooms at Queen's Park.

These innovations, combined with the effective system of prebudget consultation already in place, should make a significant contribution to demystifying the budget process.

Another area of budget development where improvements can be made involves the timing of our announcements of major transfer payments.

When we are asking our school boards, hospitals and municipalities to plan more effectively and make better use of their financial resources, it seems only fair that they be given greater lead time in their knowledge of provincial levels of support.

In the past, our transfer decisions have not been made until some of the recipients were well into their fiscal years. This has made it more difficult for them to organize their affairs and to manage resources effectively.

Therefore, in accordance with the requests of many transferees, my colleagues have agreed to make a special effort to work with us in getting decisions made this fall on provincial transfer payments for 1984.

We hope to make the appropriate announcements in November, rather than in February or March of next year. We may, in fact, be able to include them in the economic and fiscal statement I referred to earlier.

Before decisions on transfer payments are made, my colleagues and I will, of course, be consulting with the affected groups, such as the Association of Municipalities of Ontario, to hear their views on 1984 financing levels.

To summarize, the guideline for public sector compensation and administered prices will be announced within two weeks, with legislation to be introduced on or about November 1. An economic and fiscal statement will be tabled in the third week of November, at which time we may be able to announce decisions on provincial transfer payments for 1984. Prebudget papers will be introduced over the next four to five months, and opportunities will be provided for a broad degree of public consultation.

These, then, are our fall restraint and spring budget schedules, both of which are designed to provide more opportunity for public involvement and participation.

While ultimate decisions, difficult as they are, remain with government, the problems are so complex and the solutions so difficult that no one can afford narrow internal policy formulation. Rather, access to ideas and policy options

from every quarter must surely be the order of the day.

Mr. Speaker: The Minister of Energy.

[Applause]

Hon. Mr. Andrewes: I hope they are not disappointed, Mr. Speaker.

Mr. Speaker: Order.

MINISTRY OF ENERGY REPORT

Hon. Mr. Andrewes: It is all good news.

Mr. Speaker, today I intend to report to the House on two matters of public interest and importance related to energy. These are the present situation regarding unit 2 at Ontario Hydro's Pickering generating station, and oil and natural gas pricing.

First, I would like to provide Ontario Hydro's assessment of the current situation at the Pickering generating station unit 2 and the work that is being done by Ontario Hydro and Atomic Energy of Canada Ltd.

As members are aware, control room operators acting in accordance with approved procedures shut down unit 2 at the Pickering generating station in the afternoon of August 1. I might add that this occurred after almost a full year of continuous trouble-free operation.

The shutdown was necessary because of a break in a pressure tube which caused heavy water to leak from the cooling system into the containment structure. There was no escape of radioactivity to the environment, and the heavy water was recycled back into the cooling system and recovered for future use.

Since the shutdown, Ontario Hydro has taken steps to determine the cause of the failure. On September 8, Ontario Hydro removed the cracked pressure tube and sent it to the Chalk River laboratories of AECL for inspection and metallurgical examination. A second intact pressure tube, which was not cracked, was sent for examination and comparison on September 30.

Ontario Hydro has indicated that it is planning to remove the calandria tube associated with the broken pressure tube and is considering the removal of additional pressure tubes for detailed examination at Chalk River. In the meantime, unit 2 remains shut down and routine maintenance work, scheduled before the shutdown, is proceeding.

Ontario Hydro has reported that accelerated corrosion has been identified on the surface of both the pressure tubes towards the outlet end. There is also a higher than expected amount of

hydrogen in the zirconium metal of the tubes towards the outlet end.

Both corrosion and the buildup of hydrogen in the metal are expected to occur during the operating life of pressure tubes. However, the rate at which this has occurred at the outlet end of the tubes examined is greater than in other pressure tubes that have been examined previously. Examination of the inlet end of the tubes indicates corrosion and hydrogen pickup rates in the range expected on the basis of previous experience.

Ontario Hydro reports that a comprehensive analysis of the pressure tube problem will not be available for another month or so. The extent of the rehabilitation work that must be undertaken before unit 2 can be restarted will depend on the results of this analysis.

Throughout this period, Ontario Hydro has kept both me and officials of the ministry fully informed of what it is doing and of the results.

As Minister of Energy, my responsibilities in this matter relate to the adequacy and security of all energy supply systems, including our electrical systems. I am satisfied that, in spite of the current situation, Ontario Hydro has adequate generating capacity to meet the electricity needs of industry and the residents of Ontario. However, this will be done at a cost that is higher than would exist if Pickering unit 2 was in service. This higher cost results from the fact that energy that could have been produced by unit 2 must be replaced by coal-fired stations, which are more costly to fuel and operate.

2:40 p.m.

I would also like to note the role of the other agencies that are involved in aspects of Ontario Hydro's nuclear generating system. The responsibility for the operation of the generating station rests, of course, with Ontario Hydro. In carrying out this responsibility, they will be relying on the expert technical advice they obtain from Atomic Energy of Canada Ltd., which has special skills and resources in these matters. Overseeing both Ontario Hydro and AECL is the Atomic Energy Control Board, the federal regulatory agency charged with the independent assessment of matters related to the operation and safety of nuclear facilities.

As additional information becomes available on this situation, I will ensure that all sides of the House are kept informed, as they have been to date.

The second matter I would like to report on today is my ministry's current perspective on oil and natural gas prices. This perspective was

shaped by the recent amending agreement signed by the federal and Alberta governments and the provision in that amending agreement for incentive natural gas prices, particularly for the industrial markets.

As honourable members are aware, the framework for the pricing of crude oil and natural gas in Canada has been the agreement of September 1981 between the governments of Canada and Alberta. With the decline in international oil prices during the first few months of 1983, revisions to this framework became necessary.

The outcome was an amendment to the Canada-Alberta agreement, announced on June 30, 1983, covering the 18 months through the end of 1984. The amendment's main result is the maintenance of relatively stable wholesale prices for crude oil and natural gas during this period.

A further important feature of this amendment is an undertaking by the two governments to explore incentives for increasing the sale of natural gas, particularly in industrial markets. In the light of the very difficult competitive position of Ontario industry, this was welcome news, as was the undertaking by the federal and Alberta governments to consult with the consuming provinces.

I have urged that any industrial gas incentive pricing scheme should be directed not only at attracting new loads but also to maintaining the base volume of industrial gas sales. Only through this broader approach will our industry's difficult international competitive position be assisted.

Officials of the Ministry of Energy have communicated this concern to officials in Alberta and Ottawa, and I expect many further contacts in the weeks ahead.

A related matter is the hearing held over the summer by the Ontario Energy Board on industrial and particularly feedstock uses of natural gas. This inquiry relates to the supply arrangements for a major part of the industrial gas market and therefore affects directly the future structure of gas distribution in Ontario. The Ontario government will be giving very careful consideration to the board's report when it is received.

TRUST COMPANIES

Hon. Mr. Elgie: Mr. Speaker, I would like to report to the House on some matters relating to the administration of trust companies that have occurred since the House adjourned.

The first matter is the preparation of the white paper on the Loan and Trust Corporations Act. I regret that I was not able to table

that paper prior to the adjournment of the House in June. As I indicated at that time, the preparation of the Morrison report took longer than was originally contemplated and that, in turn, carried the preparation of the white paper into the summer months. The white paper is taking more time to prepare than I originally anticipated and I now believe it will be available for this House in November.

On that basis, I would contemplate that the white paper might be referred to the standing committee on administration of justice for study and that this study might take place over the winter break. This, of course, will be a matter to be worked out in discussion with opposition parties. However, this timing would afford a reasonable time for interested parties to consider the white paper recommendations and to prepare submissions to the committee.

A second matter is the internal review of administration and procedures carried out in the ministry. Members may recall that I earlier advised the House that a review of our administration and procedures in the area of financial institutions would be carried out. This has now been done with respect to the regulation of loan and trust corporations.

I have not yet finally decided whether the internal review, which was a thorough one, should be supplemented by an external review. At this point, I am inclined to believe this might not be necessary and that our continuing assessment and response will confirm that conclusion. In any event, I intend to make a decision on that question by the time the white paper is presented. If, as I now expect, I conclude that an external review is unnecessary, I would propose referring that internal review to the committee at the same time as I present the white paper.

I also hope to be more explicit at that time about changes now being made in administration and procedures. This would mean the committee would have the benefit of the Morrison report, other material already filed and the internal review when the members commence their study of the white paper. If I conclude that the internal review should be supplemented by an external one, I would think it better to release the internal and external reviews at the same time. I would not expect any external review to take very long, so both should be available by the time the committee meets to study the white paper.

I can report now on one of the major changes that is under way. This relates to the form, content and frequency of reports made by trust

companies to the registrar. A new early warning system has been developed and is now being tested on 25 Ontario incorporated companies. This system concentrates on indicators that reflect the financial health of the company and which can be produced in a format that lends itself to computer analysis and should be available for general use in early 1984.

In this regard, I would point out that the federal officials and our colleagues in other provinces are interested in this work as it holds the promise of being a system that can be applied nationally to all loan and trust corporations. Such a development has obvious advantages in terms of keeping all loan and trust corporation regulators informed of the performance and economic health of companies operating in their jurisdiction. Indeed, the principles of this system might be applicable to all financial institutions. Our initiative in this area may be an important step in moving towards more uniform administrative practices in Canada.

I know that some members are concerned about possible consequences of delay in bringing forward remedial legislation. Without wishing to minimize the need for further legislative changes, I would like to remind the House of the very significant changes that were made to the registrar's powers in the bill that was passed last December to amend the Loan and Trust Corporations Act. Those amendments, for the first time, gave the registrar the authority to review and, in a proper case, prevent the sale of controlling interests in an existing trust company. It also allowed the registrar to impose terms and conditions on the operation of a loan and trust corporation.

With these additional powers, the registrar is able to deal with situations that might otherwise develop into much more difficult problems. Thus while I still intend to press for additional changes to the Loan and Trust Corporations Act, it is my belief we can and should take the time to carefully consider the issues that will be raised in the white paper.

As I promised members earlier, I made the Morrison report available to members at the earliest opportunity after its receipt by filing it with the Clerk during the summer recess as a report. All members of the House will now have had an opportunity to read and digest the Morrison report and its conclusions. Mr. Morrison is to be congratulated on his success in setting out, in clear and understandable language, a very complex and confusing fact situation.

As I previously said I would, I have referred

that report to Mr. Stuart Thom for whatever assistance it may be to him in his deliberations in respect of rent review. The report has been studied by staff working on the white paper and a number of recommendations in the paper will relate to the findings or observations of Mr. Morrison.

2:50 p.m.

I would like to make a brief report on the three trust companies themselves. First, as members are aware, the arm's-length depositors with these companies have been and will continue to be paid in full. As a result of the co-operation between the registrar and the Canada Deposit Insurance Corp., special arrangements were made permitting all depositors to be paid and allowing the registrar, the CDIC and the trust companies adequate time to assess the financial situation in these companies. In this way, those in charge of the trust companies' assets can determine how best to protect creditors, preferred shareholders and ordinary shareholders.

Second, members will be aware that the trust companies have initiated lawsuits to recover moneys improperly removed from the trust companies and those matters are currently before the courts. The legal responsibility for the losses to these trust companies will be determined in the courts under the process of the courts.

The one case that has already gone to judgement involved the Cayman bank which we are told was used by the so-called Saudi purchasers and Mr. Player. The Cayman bank was found in contempt of court and substantial fines were imposed upon it and its manager. In addition, the Cayman bank's licence has been suspended by the inspector of banks in the Cayman Islands.

Lastly, the trust companies have endeavoured to locate and pursue the funds paid out by the trust companies in the Cadillac Fairview transaction. When located, court orders have been obtained freezing those funds pending the conclusion of the various actions under way.

In closing, I would like to assure this House that the government will continue to pursue the issues that have arisen in a careful, sensitive and orderly fashion. As significant events occur, I will report them to the House.

FUNDING FOR SENIORS

Hon. Mr. McCaffrey: Mr. Speaker, as acting Minister of Community and Social Services, I would like to take this opportunity to announce a \$1-million funding program to help maintain

and expand home support services for seniors across the province. This funding is in addition to the more than \$4 million budgeted for home support services for the elderly during this fiscal year by the Ministry of Community and Social Services.

As members of this House—even those interjecting at this moment—are no doubt aware, there are many voluntary agencies throughout the province providing home support services to seniors. These include such necessary services as Meals on Wheels, assistance with general maintenance and household chores such as cleaning, snow shovelling and grass cutting, visits to make sure seniors are all right, transportation for seniors to doctors' appointments, shopping and the like, and phone monitoring and reassurance.

Thanks to the work of these dedicated volunteers and volunteer co-ordinators, many thousands of seniors across Ontario are able to remain living independently in their own homes and communities. The majority of these voluntary agencies and the services they provide receive up to 50 per cent funding from the ministry on a fee-for-service basis.

As a result of the increase in seniors needing services, coupled with the economic situation and the lack of growth in the number of volunteer dollars available, many of these groups are finding they can no longer meet the demand for existing services under current funding, let alone respond to the pressure for new services. The program I am announcing today is aimed at rectifying that situation.

In Metro alone, there are more than 30 agencies providing home support services that we intend to help under this program. Several of these agencies, as well as agencies in other parts of the province, are in a deficit or close to a deficit situation and are faced with the decision of having to cut back services or close their doors altogether.

The object of this funding program is to provide increased base financial assistance to agencies in three ways: (1) by providing funds for direct services to agencies that are in a deficit position; (2) by providing funding for agencies to expand their services to meet existing demands in critical areas such as Meals on Wheels; and (3) by continuing to fund home support programs in situations where federal funds for such programs have dried up.

Let me reiterate that the funds provided through this program will become part of the base funding of these agencies. These funds will

go towards helping agencies to maintain and expand all the various types of home support services which I mentioned earlier—Meals on Wheels, home assistance, transportation and telephone contact—as well as providing help to centres that sponsor social activities for seniors.

Right now we are in the process of holding negotiations and discussions with various home support agencies supplying services to seniors. Funding details will be finalized with all agencies selected for this program in the next few weeks. Our plan is to have this funding in place by the beginning of the winter.

All agencies selected for this program must show two characteristics: that they are in financial need and that they are providing a service to seniors for which there is a demonstrated need. The program is primarily a culmination of extensive discussions between the province, agencies and municipalities, including Metro Toronto.

The wellbeing of the seniors of this province is an important concern of the Ministry of Community and Social Services. As part of that concern we are committed to ensuring that as many seniors as possible have the support they need to continue living in their homes and their local communities. The funding program I am announcing today is a further demonstration of this government's commitment to meet the needs of Ontario's seniors.

Even though hard economic times have strained our financial resources, this government, unlike other jurisdictions in Canada and across North America, has not cut or reduced any of our social assistance programs, nor do we intend to do so.

ORAL QUESTIONS

YOUTH UNEMPLOYMENT

Mr. Peterson: Mr. Speaker, my first question is to the new Treasurer, and I congratulate him on his recent elevation to that post.

I want to ask him a question about what we in our party consider to be the single most important problem in this province: the future of our youth. He is quite well aware there are some 183,000 unemployed young people in the province at this time. I am sure he is also aware of the recent report of the federal Department of Employment and Immigration, which concluded that youth unemployment will not materially improve until at least 1986. Indeed, it projects an unemployment rate of about 19 per cent in

1985, which would translate into at least 15 per cent in Ontario.

The Treasurer also will be aware of the statement in the report that it normally takes several quarters for improved economic conditions and a decline in the prime age unemployment rate to appreciably affect employment opportunities for youth. It concludes by stating that economic recovery in the latter part of 1983 and 1984 probably will not reduce the youth unemployment rate significantly relative to that of adult workers.

Given all those facts the Treasurer knows, would he tell this House what specific initiatives he is prepared to undertake in order to alleviate this structural problem, this chronic problem, this problem that is going to be with us for a very long time in the future?

Hon. Mr. Grossman: Mr. Speaker, as the honourable member knows quite well, the response of this province really has never been lacking. In the current year we have about \$250 million going to youth employment programs and we expect that kind of record to continue. At present, about 100,000 jobs for youth can be attributed to Ontario government programs.

We do not expect our concerns to flag at all in this regard. I was interested this morning to read the remarks of the federal Minister of Employment and Immigration about yet a new federal youth initiative.

Before we decide what our further response should be this year—and I emphasize it is only a further response to what we are already doing—I would like to see what the federal intentions are. I know the member would agree there is no point in duplicating programs. Therefore, we would like to see whether the new announcement is only a pre-announcement about reallocating some funds they had already committed. We also would like to see what time frame those \$40 million go over. Is it a one-year program or a four-year program; and just how is it going to be allocated across Canada?

After we get a feel for the federal initiatives in this area, where they have a primary responsibility, then we will be assessing our current program—as I say it has been very successful to date—and decide where we go from there.

3 p.m.

Mr. Peterson: The Treasurer will be aware that the vast majority of his programs are seasonal. Admittedly, they go some way to solving some of those problems, but clearly not far enough. He is aware that one of the big

problems developing is the chronic unemployment over the winter season. He will be aware that 20 per cent of all unemployed youth account for well over half of the youth unemployment. These are people who do not have any skills and are unprepared to go into the marketplace.

He is aware also that the winter Experience program, the one program that did address the seasonal problems, had 2,000 jobs last year but is down to 1,800 jobs in this year's budget and was reduced to 1,700 by September 27, when the Provincial Secretary for Social Development (Mr. McCaffrey) then recycled the program.

Would the Treasurer not agree with me that the major thrust of his attack must be on that chronic unemployment, not just the summer unemployment, and that it must contain an element of skills training to give these young people an opportunity to learn something in order to compete in an economic market?

Hon. Mr. Grossman: The short answer to that, of course, is yes, I would agree. In point of fact, not only does this government agree, it has already taken some steps in that regard. The Leader of the Opposition will have noticed over the summer, I am sure, that the Minister of Colleges and Universities (Miss Stephenson) announced some expanded programs in the skills training area. To date, in 1983-84 programs alone, we are looking at some \$24 million in addition to the ongoing federal programs, which we would also like more of but which do amount to a substantial amount of money being invested in this province, I would admit, in skills training.

All in all, of course, the answer to the member's question is yes, we are looking at further ways in which we might address the structural problems he refers to. But in fairness I should indicate that we have been shifting away from the seasonal types of programs that the member talks about. All of the things we have been doing recently have been to expand what have traditionally been seasonal programs into the winter period of time in order to deal with the very kind of problem he is talking about.

Mr. Rae: Mr. Speaker, is the Treasurer aware that one of the problems of the existing programs is that, because of the way they are designed, the full budget for those programs is not being taken up and has not been taken up? How does the Treasurer feel about the fact that the critical trades skills training program and the general industrial training program have not

been taken up to their full capacity, and what does he intend to do about that?

Hon. Mr. Grossman: In simple terms I wish to make it clear that the flow of funds is not presenting a problem to those funds being spent. In other words, there is no artificial blockage being created by this government holding up funding in order to allow people to enter those programs which they badly need—bring them forward.

Mr. Peterson: There is no doubt that the Treasurer is apprised of the statistics in this matter. I remind him that, for example, in the Peterborough, Bancroft, Cobourg, Trenton, Belleville and surrounding area the average youth unemployment rate in 1982 was 24.1 per cent; it improved just recently to 19.1 per cent. In northeastern Ontario the average 1982 rate of youth unemployment was 24.7 per cent and is now at 25.1 per cent, one in four of our young people.

Is he also aware that the chairman of the Ontario Manpower Commission told a legislative committee that skilled labour shortages will persist in this province for the foreseeable future? Clearly, that gives the Treasurer a view of where we have to go as a province.

Will the Treasurer consult with his colleague the Minister of Education and persuade her that an active, vigorous and immediate attack must be launched in these particular areas so that we do not face a generation of youth without any prospects at all?

Hon. Mr. Grossman: I should tell the member that as I cast across the provinces, as I have done in assembling data and information on programs for job creation and training alike, I think any province in this country would be happy to have as the person responsible for those retraining programs our Minister of Colleges and Universities.

If the member looks at the Board of Industrial Leadership and Development programs, the amount of money BILD has funded into Colleges and Universities for the retraining programs; if he looks at the special new programs brought out in the budget and subsequently for job retraining—I could read him the numbers, and he knows them well: the Ontario training incentive program, the employer-sponsored training program, the training in business and industry programs, both phases—they are far ahead of what any other jurisdiction in this country is doing.

To be fair, I want to acknowledge completely

and clearly that the minister and I met about a month and a half ago to discuss this very question. She has provided me with a fairly complete analysis of places where the situation could be topped up and improved—with, I might add, co-operation from the federal government. I do hope they will be able to provide us that co-operation; for when they are looking for direct delivery programs in this area—programs where they can provide all the funding and take all the credit—I think it is rather inappropriate.

What we really need is a complementary series of programs between this government, which is prepared to make those investments, and the federal government, which says it is prepared to make those investments; and has made some, but we would look to them for more.

Mr. Peterson: If, in fact, the Treasurer's theory is right about the honourable minister, I can assure him my colleagues will each chip in a one-way bus fare for her to Prince Edward Island. They would really be happy to have her.

Interjections.

HYDRO REACTORS

Mr. Peterson: Mr. Speaker, I have a question for him, but at the outset I would congratulate the new Minister of Energy (Mr. Andrewes) on his recent elevation to cabinet. I recognize that he has one of the most difficult jobs in that cabinet. We wish him well. He is aware that the landscape is littered with the corpses of his predecessors.

Mr. Conway: Into the Bermuda Triangle.

Mr. Peterson: As he plunges into the Bermuda Triangle, I want to ask the minister a question with respect to his statement today. He is aware that Ontario Hydro has been aware of the hydriding problem for some long time, but in spite of that, Hydro has put forward the leaked-before-break concept that was supposed to transpire until the unfortunate incident at Pickering unit 2.

He will be aware then that this gives some credence to the theory that the hydride platelets which had formed on the pressure tube, in fact, realign themselves in a manner which weakens the tube each time the tubes cool during the refueling operations. Do we have a major structural flaw in the design of those reactors?

Hon. Mr. Andrewes: Mr. Speaker, first of all, I would like to thank the Leader of the Opposition for his comments and his good wishes and

tell him that those so-called corridors of power are now well lit and that we hope to proceed down them without any difficulty.

Interjections

Mr. Speaker: Order.

Hon. Mr. Andrewes: In the statement I made at the outset at the beginning of the session, I made it clear that information is coming forward as a result of the studies that are being conducted at Chalk River in co-operation with Atomic Energy of Canada Ltd; that that information at this time is preliminary; and that it would be foolish for us or anyone else to make judgements that suggest there are major structural flaws in the design at Pickering unit 2 or in the design of any of the other reactors. I said that as information comes forward I would report further and I intend to do just that.

Mr. Peterson: My supplementary relates to the broader question of the major mistakes that have been made in Hydro and the new minister's attempt to get a handle on some of the decisions that have been made and that are costing us dearly today as a society.

Is the minister prepared in his new capacity as Minister of Energy to bring forward initiatives that would bring Hydro back under at least some semblance of legislative control? Would the minister not admit, as the new minister and presumably an objective observer, that the select committee of this House did very fine work and brought an element of political accountability?

Would the minister not admit, as the new minister who has a clean slate and can put his own stamp on these matters, that we should bring in legislation in this House so that this House has to approve of the Hydro debt and that we cannot let it run ahead of the provincial debt, \$19 billion as it is now and \$27 billion by 1987? It is getting out of control in the words of a former Treasurer and a former Minister of Energy, none less than the gas man himself, Darcy McKeough.

3:10 p.m.

Would the minister not agree that one of the ways we could have a better handle on Hydro is to have confirmation hearings or at least some kind of public scrutiny of the new appointment to Hydro so that he would be beyond just being a political crony, but indeed would be the right person in this province to bring that great corporation under control? Would the minister agree to those things?

Hon. Mr. Andrewes: Mr. Speaker, might I say at the outset that I am not sure the supplementary questions of the Leader of the Opposition related to his first question about a structural flaw. However, with your indulgence, I will endeavour to answer his question.

I have maintained from the outset that this whole question of the problems of Pickering needs to be dealt with as an issue separate and apart from all these other issues that have been raised on occasion. I want to make it very clear that we are prepared to give some consideration to the request that the honourable member is bringing forward after we have made some determination as to the extent of the problem at Pickering and after Hydro has reported to me on its discussions with Atomic Energy of Canada Ltd. and the Atomic Energy Control Board, which has the regulatory authority in this case, when it has made that report and has taken some direction from the board as to what kinds of activities Hydro will be undertaking prior to the restarting of unit 2.

Mr. Rae: Mr. Speaker, by way of congratulating the new Minister of Energy, I would like to ask him a supplementary to the first question that was asked by the leader of the Liberal Party, having specifically to do with Pickering.

Given the fact that unit 1 at Pickering, as the minister will know, uses the same zirconium metal as unit 2, and given the fact that, therefore, there could be a potential hydriding problem at unit 1, can the minister explain to the House why unit 1 is being allowed, indeed encouraged, to operate at full tilt, as it was described to me by the vice-president of Ontario Hydro? If there is a potential problem at unit 2, and the evidence clearly points to that, there also is going to be a problem at unit 1. Why is unit 1 being allowed to go at full blast at present?

Hon. Mr. Andrewes: Mr. Speaker, in response to the leader of the third party, might I say that Hydro is operating unit 1 with caution and with the full consultation of the Atomic Energy Control Board, which has the regulatory control of that activity. They are providing on a daily basis any information that is coming forward with respect to unit 2 and the problems in unit 2, and they will act on the advice of the board and the direction of the board when that advice is forthcoming.

Mr. Kerrio: Mr. Speaker, I would also like to congratulate the new Minister of Energy. He is taking on a very important portfolio. I hope he is

going to be very objective in the future about Ontario Hydro.

This causes me to pose the question as to whether the minister would agree that we should have pursued every last vestige of hydraulic power in this province and have been just a little more cautious about nuclear power until we knew all the ramifications—in fact, until we know the true cost of getting rid of all of the spent fuel and all of the other ancillary things that are going to happen and that are years down the road from having any kind of cost-effective involvement. Would the minister not agree that we should have gone for that option?

Mr. Speaker: Order, please. I would point out that was not supplementary to the answer provided by the minister. New question.

FRENCH LANGUAGE RIGHTS

Mr. Rae: Mr. Speaker, I would like to address my question to the Minister of Intergovernmental Affairs in the absence of the Premier (Mr. Davis).

Given the enormous impact on national unity and on minority rights across this country, I would simply like to ask the minister what effect the entrenchment of French language rights in this province in the Constitution would have. Can the minister please explain to the House why the Progressive Conservative government of this province continues to refuse to move for the entrenchment of minority language rights in this province?

Hon. Mr. Wells: Mr. Speaker, the first aim of this government, as has been stated for a number of years, is to provide services, and an ongoing program of improved services, to Franco-Ontarians in this province. Coupled with that is the signal to the rest of Canada, particularly to the province of Quebec, that as part of the deal to keep Quebec in Canada, we will make this province a province where people from Quebec, be they francophones or anglophones, can feel at home. We, therefore, have to decide what is the best climate for achieving the greatest possible extension of services.

I think my friend will agree that in the past 10 years we have made significant gains in this province, some of them completely unknown to people in Quebec. If this is so, that is his fault and my fault because we have not been able to communicate them enough. When I think of what has happened in the courts and what has happened in our education system, when I think of the kind of government services that are now provided and when I look at the last issue of

Topical, as I did just last night, and see the kinds of bilingual positions that are being advertised in various ministries of this government, we have made significant progress.

The question which then has to be asked is, can entrenching official bilingualism in the Constitution of Canada for this province gain us anything more than we now have? The answer this government has come up with is that it cannot gain us anything more and, in fact, may hinder us in the advancement of our programs. What we need to do is tell the rest of Canada what we are really doing here and not worry about any symbolic steps at this time.

Mr. Rae: I would like to point out to the minister that the federal leader of his party in an interview on June 2 in *Le Devoir*, the Montreal newspaper, said, and I am quoting from what Mr. Mulroney said, he found it abnormal—I am translating—that the francophone minority in Ontario does not have “des droits écrits, solides et irréversibles dans une constitution.” He finds it abnormal that the francophone minority in this province does not have rights that are written, that are solid and that are irreversible in a constitution.

That is the position of the minister's federal leader, and I support it because it is the position of my federal leader as well. We speak the same language in Ottawa as we speak in Toronto.

Mr. Speaker: Question, please.

Mr. Rae: Given that fact, and the minister knows what the climate is with respect to constitutional entrenchment and the importance of giving individual citizens the right to have their rights enforced in court, I would like to ask the minister how can he continue the charade of saying, on the one hand, we are doing all kinds of things and saying, on the other hand, we do not want to do them officially because it might cause a problem. Why not seize the bull by the horns and speak up for the francophone minority in this province and entrench their rights so that no government can ever take them away?

Hon. Mr. Wells: I can say to my friend no government that I would ever be a part of or that would ever be formed by the Progressive Conservative Party would take those rights away in this province.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Wells: The proof of the pudding is in the eating, when we see the kind of divisive-

ness that is now occurring in our sister province to the west.

Mr. Martel: Led by Sterling Lyon.

Hon. Mr. Wells: I do not care by whom. When we see that kind of divisiveness compared with the kind of progress we have been able to make in this province, progress that has been supplemented by the entrenchment of rights in legislation in this Legislature, which means that those rights can only be taken away by someone changing the legislation in this Legislature—a procedure, incidentally, supported by the official opposition members; they too differ with the leader of their national party in their position on this matter—all I say to my friend is that I think the greatest progress on behalf of all the people of Ontario, and particularly the Franco-Ontarians, can be obtained through the kind of process we have been following in this province.

3:20 p.m.

Mr. Peterson: Mr. Speaker, given the fact the minister to whom we are addressing the question is personally on record as favouring official bilingualism and constitutional entrenchment—I believe that speech was made in this House and I believe the minister's colleague to his immediate left has said a similar kind of thing—given that and the minister's understanding of the Manitoba situation, which is divisive and partisan and in our view not constructive, but given also the triumph of leadership that was shown at the federal level last week when the Prime Minister, the minister's federal leader—given the problems he has had historically—and the leader of the New Democratic Party got together to create a resolution every member could support, would the minister use his good offices—and I know he is personally sensitive to these things—to try to persuade the Premier to engage in meetings with various members of various parties here to try to develop a resolution we could all mutually support that would at the very least statutorily entrench the rights of the francophone minority in this province and avoid the kind of partisan bitter backlash we have seen in other cases? Surely that is a reasonable objective for reasonable people in this House. I would ask the minister to take that initiative.

Hon. Mr. Wells: Mr. Speaker, in answer to the first part of my friend's question, I have never that I can recall ever said I was in favour of entrenching official bilingualism for Ontario in the Constitution of Canada. We are talking about section 16 and I have never indicated I

was in favour of that. Although in fairness to my friend I have read press stories that have indicated I was, I have never indicated that.

I did indicate during my estimates in this House that I hoped some day, while I still held this portfolio, I might be able to bring forward a resolution that would entrench what we are already doing in sections 17 to 20, that is the courts, education, the Legislature and so forth, but not section 16, the official bilingualism section. I hope that some day I might be able to move that resolution in this House. That time has not come and that is not the policy of this government. That is a personal policy or personal position of my own.

The proposition my friend has put about some committee or some resolution this House could support might be a worthwhile position, although I must say it would be very hard to arrive at some uniformly agreed to position because we have a variety of opinions being very vigorously put forward here. If my friend means are we all willing to pass a resolution that we are committed, not in symbolic actions but in actual actions that speak louder than words, in actual delivery of services, and we are guaranteeing services to Franco-Ontarians, we will be glad to put that kind of motion.

We will be glad to amend various pieces of legislation to entrench the services we are now providing in legislation. We do not need a French-language services act in this province because we have the legislation in a whole variety of acts. My friend the Attorney General (Mr. McMurtry) has amended a number of acts to provide for significant changes in the court systems, changes I venture to say many of the members of this Legislature do not even know have occurred.

Mr. Wildman: Why do you repudiate your leader?

Hon. Mr. Wells: Why do I repudiate whom?

Mr. Speaker: Never mind the interjections, please.

Hon. Mr. Wells: I have never repudiated my leader and my leader sits here two seats to my right.

Mr. Rae: Mr. Speaker, given the consensus, not with respect to some motherhood statement but with respect to entrenchment, given the support the federal Parliament has expressed unanimously for the courage of the Manitoba government in pressing ahead in the face of some small-minded minority which was un-

prepared to accept with generosity and civility the very nature of our country, and given the fact the minister's own deputy minister, the co-ordinator of French language services, said last year that the the policy of the government leads to a general belief in both the English- and French-language communities that the francophone minority can be granted only as much linguistic leeway as the majority determines to be good for it, I come back to the basic question, what is the source of the reluctance of the government?

I do not want to hear 25 individual opinions from each minister as to what they might do in the best of all possible worlds. What is the reluctance of the government collectively to move with generosity to reform the Constitution to provide basic rights guaranteed in the Constitution? As Mr. Mulroney said, there is no painless solution. He is right on that score. Why does the government not agree with him?

Hon. Mr. Wells: I can agree with my friend that there is no painless solution. As one who has moved some very difficult legislation in this House and seen it opposed by certain members of the opposition party even though other members voted for it, legislation that has been difficult perhaps to get passed and to explain to people in this province, I would agree that there is no easy solution.

The answer I gave the member a few minutes ago is that, in the view of this government, the way to set the best climate to achieve the greatest gains for Franco-Ontarians and to provide service is not at this time to seek a constitutional amendment making Ontario officially bilingual. That would be counterproductive. The point is that we must move ahead, provide the services, amend our legislation where necessary and do those things that Franco-Ontarians want. That is the best way and the best climate in which to achieve those ends at this time.

Mr. Rae: When the Premier returns, we will have to come back to that question because it is fundamental to the very nature of our province.

HYDRO PLANNING

Mr. Rae: Mr. Speaker, I would like to ask the Minister of Energy a broader question with respect to Ontario Hydro. It flows from documents that Ontario Hydro itself provided to the Ontario Energy Board at the hearings in the spring of 1983.

This corporate planning document for the

next 10 years, which was tabled with the Ontario Energy Board, showed that Ontario Hydro's excess capacity would double in the next 10 years and that in its corporate plan Ontario Hydro planned to mothball, in terms of viable, non-nuclear plants, the equivalent of Darlington and the four reactors at Pickering B. Can the minister explain the rationale for this kind of planning?

Hon. Mr. Andrewes: Mr. Speaker, I think there are several items missing in the question, particularly in relation to the supply of energy on an economical basis and in relation to the supply of energy and the concern we have in this province, as indeed we have in the whole country, about acid rain and the kinds of results we have been achieving as a result of the conversion of the electrical generating system to a nuclear system.

I would like first to view the information the honourable member is referring to in that context and to remind him that this province indeed has a strong commitment to an energy supply that will relate to the industrial fabric of the province and that will provide us with the economic prudence that will take us through the difficult times we are facing. I also want him to consider the very difficult situation that my colleague the Minister of the Environment (Mr. Brandt) faces in his negotiations and the negotiations of the federal government with the government of the United States with respect to acid gas emission.

Keeping all of this in perspective, let us look at the electrical energy rates that are prevalent in this province and compare them to other jurisdictions in North America. Having considered all these things, I am sure the member might want to pose his question somewhat differently.

3:30 p.m.

Mr. Rae: The minister refers to economic prudence. I would simply like to refer him to one example in appendix II of the document tabled with the Ontario Energy Board. Perhaps the minister would comment on it.

The Atikokan station—commissioned 1983-84, mothballed 1985, 1986, 1987, 1988, 1989, 1990, 1991 and 1992, at a cost of \$660 million. What in the name of goodness is the economic prudence of building a station simply to shut it down? Is that the minister's definition of economic prudence?

Hon. Mr. Andrewes: I am not aware that the Hydro board has made a decision with respect

to the Atikokan station. I think the information presented to the Ontario Energy Board last spring was part of a program Hydro is looking at in terms of reduced energy requirements in northwestern Ontario. That decision, as far as I am aware, has not been made. If it has, it certainly has not come to my attention.

We want to be careful in talking about the Atikokan station and about various other options that are available to Ontario Hydro for generating electricity. We want to be careful to keep some perspective on the costs of generating electricity from coal as opposed to nuclear energy. We in this party have some concern about the economic future of this province.

Mr. Peterson: Mr. Speaker, in addition to the waste in the Atikokan plant mentioned by the leader of the New Democratic Party, the minister is aware that Wesleyville wrote off some \$460 million. In Lennox, \$490 million was written off because Hydro did not realize oil prices were going to go up. There will be a \$500-million loss over the next 10 years because they did not realize uranium prices were going to go down. There has been a \$60-million loss so far in the Petrosar contract because they did not realize oil was going up. At the Bruce heavy water plant there was a \$485-million loss because Hydro did not know the demand was going down. The list goes on and on. Meanwhile, \$12 billion is being spent on Darlington that is not necessary in terms of demand.

Does the minister agree with Darcy McKeough, who said in the Windsor Star of October 5, 1983: "Hydro's cost has unfortunately nowhere to go but up because of their enormous capital programs and debt. Price increases will be beyond inflation for a long time to come"?

Hon. Mr. Andrewes: Mr. Speaker, perhaps one should view the quotation of our former colleague, Treasurer and Minister of Energy in terms of the experience he has had both in this Legislature and as president of Union Gas.

I refer to a letter the president and chief executive officer of Union Gas wrote to the editor of the Windsor Star in response to an article by John Coleman that quoted him. Mr. McKeough referred to the headline of Mr. Coleman's article in his letter and said: "This heading does not relate to anything I said, nor to anything attributed to me by Mr. Coleman." The headline talked about Hydro being "uncontrolled, wasting billions." The letter says: "It relates rather to a reference in the article to some unattributed comments by Liberal and New Democratic politicians."

Mr. McKeough went on to say, "I am concerned, however, that my comments are put out of context by being lumped in with quite controversial political observations by the leaders of the two opposition parties and other critics of Ontario Hydro."

Before the Leader of the Opposition quotes Mr. McKeough, he ought to make sure that those quotes are kept in context and that indeed he reread the article.

Mr. Rae: I ask the minister once again to look at the document Hydro has tabled with the Ontario Energy Board. It talks about its corporate relations review. We are not talking about some outsider or some opposition politician's speculation. We are talking about Hydro's own predictions in terms of rate increases above inflation for the next four or five years.

Mr. Speaker: Question, please.

Mr. Rae: It talks about problems with respect to financial soundness for the next two or three years. In particular, it talks about the only way Hydro can deal with the problem of overcapacity; that is, by increasing markets and by increasing the use by existing customers.

How does the talking furnace demanding that people start using more electricity possibly jibe with the historic so-called policies of the ministry with respect to the importance of conservation of energy? The minister cannot flog energy and conserve energy at the same time. Which is it?

Hon. Mr. Andrewes: I am glad the member has had an opportunity to view the Hydro advertisements. That utility is currently engaged in a very active marketing program, as are many other utilities, such as natural gas and other options. Hydro is presenting to the public of this province the opportunity to weigh those alternatives to a conversion from oil, particularly alternatives that are not available in rural areas and areas not served by natural gas utilities. It is a marketing program that has taken initiatives with the industrial sector to provide it with opportunities to make decisions for the future based on projections and sound judgements.

EQUAL PAY FOR WORK OF EQUAL VALUE

Ms. Copps: Mr. Speaker, I have a question for the Deputy Premier, the Minister responsible for Women's Issues. I was very happy to see in a recent news report that he is working with his colleague the Minister of Labour (Mr. Ramsay) to draft some changes to the Employment Standards Act. I wonder if the Deputy Premier

can tell us whether these changes mean his government now supports the adoption of equal pay for work of equal value legislation in this province.

Hon. Mr. Welch: Mr. Speaker, I am sure it will come as no surprise to my honourable friend that the Minister of Labour will be indicating to this House in due course what those changes may be and their extent.

Mr. Wrye: Mr. Speaker, I am sure the Minister responsible for Women's Issues is aware that the Gunderson study, which his colleague the Minister of Labour is so fond of quoting to say why equal value legislation will not completely wipe out the wage gap, shows the wage gap can be wiped out only to about 85 to 90 per cent without equal value legislation.

I wonder if he will explain to this House whether he believes the legislative changes should entirely wipe out the wage gap and, if so, how he can do that without equal pay for work of equal value.

Hon. Mr. Welch: Mr. Speaker, I am not sure I completely understand the question in the light of the preamble, but if my friend is making reference to the Gunderson report, it is my understanding that Mr. Gunderson, and this is his view, was expressing some concern lest we put all our so-called eggs in one basket in so far as closing the wage gap is concerned, thinking that particular legislative route would close the gap.

What he was urging upon those who read his report was that we not lose sight of the long-term responsibility of encouraging young women and ladies to seek career opportunities in hitherto nontraditional jobs. I think that is the point the honourable member raises. He was seeing that there was some need for the legislative approach along the lines to which my friend makes reference, but he cautioned us that we should not lose sight of the longer-term goal, to which we would indeed do well to dedicate a fair amount of energy, to make sure that in that long run we see even greater progress made in closing that gap.

3:40 p.m.

Ms. Bryden: Mr. Speaker, now that Sally Barnes, president of the Ontario Status of Women Council, has seen that the women of Ontario really want nothing less than equal pay for work of equal value and has written the minister urging him to endorse the principle, will he now urge the Minister of Labour to scrap any planned amendments to the present ineffec-

tive equal pay section of the Employment Standards Act and replace it with a section providing for equal pay for work of equal value?

Hon. Mr. Welch: Mr. Speaker, I have two observations. When the honourable member makes some reference to the president of the advisory council now taking a certain position, I think in all fairness one might want to review the record to see the consistency with respect to the actual position taken by the president on that subject. I am sure all members of the third party would be very vocal about the right of people to have the opportunity to express personal opinions from time to time. That might even be considered part of our democratic system, to which we on this side are quite committed.

Having said that, I think we also have some advice coming from a number of sources, not with respect to the principle but with respect to implementation.

The second point to which the member makes reference is to presume that she knows what the Minister of Labour's statement will contain. I think she might be wise to wait until the Minister of Labour has had an opportunity to share that with all of us before she jumps to any conclusion.

INSPECTION OF NURSING HOMES

Mr. Rae: Mr. Speaker, I have a question about nursing homes to ask the acting Minister of Health, who I understand in the absence of the member for Kingston and the Islands (Mr. Norton) is the Minister of Intergovernmental Affairs (Mr. Wells), but I do not see him in the House at the moment. I wonder if I could stand down my question and give it to someone else.

Mr. Speaker: The member for Nickel Belt.

Mr. Laughren: The minister is coming in now.

Mr. Speaker: The member for York South.

Mr. Rae: Mr. Speaker, my question is to the minister who is now acting for the Minister of Health in his absence. I am sure we all wish the member for Kingston and the Islands a speedy recovery.

I would like to simply ask the acting Minister of Health a question about the evidence that was revealed at the inquest at Oakridge Villa. The evidence showed that despite the fact that the Ministry of Health launched 15 inspections during 1982 at Oakridge Villa, the problems faced by Mrs. Catherine Jackson went unobserved by the inspectorate.

Given the evidence of really serious problems with respect to inspection at the Ark Eden

inquest, and given evidence that goes back to coroner's inquest after coroner's inquest brought up by our party and many others in this Legislature in the past 10 years with respect to the inspection of nursing homes, I would simply like to ask the minister what does it take to get this government to recognize there is a fundamental problem with the way in which inspections are carried out and organized?

Why does the minister not move to simply shift the jurisdictions with respect to nursing homes to the Ministry of Community and Social Services, decentralize the inspections, make them on a virtually daily basis and have some real accountability as far as patients' rights are concerned?

Hon. Mr. Wells: Mr. Speaker, first I would like to say that the policy of the government, which was enunciated by my friend and colleague the member for St. Andrew-St. Patrick (Mr. Grossman) when he was Minister of Health, and who is now the Treasurer of Ontario, was that this government would provide the finest nursing home care possible and would attempt, within the system that we have in this province, to do all those things to make the care for those who are in these institutions, and particularly for our elderly people, as humane and as high-quality as possible.

My colleague undertook a number of steps to begin that process. One of those steps was revisions in the licensing procedure and publication of the licensing reports at the time of renewal of licence. Every nursing home licence comes up for renewal every year. Each nursing home is inspected before that renewal occurs. At that time the inspector's report is perused by the ministry and, based on the perusal of that report, the licence is either renewed or not renewed.

For instance, in the case of the Ark Eden Nursing Home, after its review and after the death of one of the patients, the licence was not renewed.

All of these procedures, coupled with a very sincere staff in the Ministry of Health, will see improvements in the nursing home situation.

As far as the evidence concerning the Oakridge Villa Nursing Home is concerned, I cannot comment on that in any greater detail at the moment because the coroner's report is only in. But from my preliminary discussions with people in the ministry today and with the head of the nursing home services branch, they welcome these reports, because these recommendations from coroners' reports will help the

ministry to bring into line and to improve the system in this province, which is the aim of the ministry and the nursing home branch in the Ministry of Health.

Mr. Rae: Hansard is heavy with statements such as the one made by the acting Minister of Health. It goes back a long, long way.

I simply want to ask the minister to consider the evidence presented by the inspectors themselves. Mr. Rivera stated at the hearing, when he was asked whether it was the case, that people who had problems with nursing homes were told to complain to the Ministry of Health. The person in charge of inspections and enforcement of the Nursing Home Act for 140 homes is telling us he has no authority to rectify the problems. Mr. Rivera, when he was asked that specific question at the inquest, had to admit there was a problem with the system. There was expert evidence that Mrs. Jackson was a tragic victim of the system.

Given the evidence—which is there, which is evident, which is overwhelming and which is growing—does the minister not feel it is time to finally act and change the very nature of the way in which inspections are carried out and the very nature of the financial accountability of the system? Does he also not feel it is time to change the fact that people are still making money, literally millions of dollars, by providing substandard care in this province, and this province, this government and the Tory party are powerless, and have made themselves powerless, to do a darned thing about it?

Hon. Mr. Wells: My friend is making a blanket statement. People are not making millions of dollars based on substandard care in this province. There are going to be complaints in any system. There are complaints in every province of this country about nursing homes, about hospitals, about various health care matters. This ministry and this government are as sensitive as any to these problems, and they will be addressed.

The present Minister of Health is working on procedures to implement residents' councils for nursing homes and on appeal procedures for complaints to be looked at and to be handled. Any complaint that any member of this Legislature has in regard to any matter of care in a nursing home is, I think, very carefully dealt with by the nursing home services branch of the ministry. That is what it is there for.

I must say I have to differ from my friend's basic assumption that there is no room for private initiative in the nursing home field.

There are a number of dedicated people who over the years have operated nursing homes, not as part of a government operation or as a community or municipal function, but because it is their business to serve.

My friend waves his hand as if they are making some money in doing so. There are a number of people making money out of the health system generally. Doctors make money. Nurses make money. Pharmacists make money. Drug manufacturers make money. People who work in hospitals make money. There are a number of dedicated people who are serving this province by operating nursing homes. We will do everything possible to make sure that they run good nursing homes, that complaints are investigated and that abuses are dealt with.

3:50 p.m.

Ms. Coppes: Mr. Speaker, how can the minister compliment the nursing home inspection service and reconcile its role or lack of it in this situation when he should know from the coroner's inquest that Mrs. Jackson, the deceased victim of the system, was admitted time and again to hospitals for dehydration and anorexia? It was not until after her death that a nursing home inspection report showed that the daily minimum requirements for meat, vegetables and milk products were not being met in this nursing home. Where was the inspection service before she died? Why did they have to wait until after her death to discover those deficiencies?

Hon. Mr. Wells: Mr. Speaker, I cannot comment on those details at this point. The coroner's report has only been received; I have not had a chance to review it. I will be glad to look it over and comment on some of those matters, and I am sure they can be commented on. As I said earlier, if it highlights deficiencies in the inspection service or in the way things are operating here, we will welcome those because we can then take action to remedy those complaints and deficiencies.

TVONTARIO COVERAGE

Mr. Sheppard: Mr. Speaker, I would like to ask the Minister of Citizenship and Culture, since she took over in that ministry, where does TVOntario stand in Northumberland county and in the riding of Hastings-Peterborough?

Hon. Ms. Fish: Mr. Speaker, I must say I did not expect my first question from the honourable member. However, he has certainly raised the matter of TVOntario transmitters with me on numerous occasions.

Members will be aware that the question of additional transmitters for TVOntario in eastern Ontario is a matter of some considerable priority for TVO and for my ministry. Members will be aware also that there are considerable capital renewal pressures on the Ontario Educational Communications Authority to the tune of approximately \$10 million of expected expenditures for capital renewal required over the next five years.

While we remain firmly committed to expansion of transmitters in eastern Ontario, we are mindful of the priority that the board and representatives of TVO have placed upon capital renewal and their indication of first moneys being directed in that regard to maintain the service to those already receiving it.

In sharing a concern about the extension of service to eastern Ontario, I might note that of the approximately 750,000 population in that area of the province not now receiving direct broadcast, some 77 per cent would be able to receive the signal through cable. I might note also that new technology studies continue to be under way.

We are hopeful, as we proceed in the priority for transmitters, that we will be able to continue to expand TVO service to all of the province.

Mr. Sheppard: Will the minister give us some indication of how soon we can have it? The people in Northumberland—and, naturally, I think they are first-class citizens—are saying the ministry is treating them as second-class citizens. Can the minister give us any indication as to when she would expect us to have this service?

Hon. Ms. Fish: Let me assure my colleague that neither the ministry nor TVOntario considers any resident of this province to be a second-class citizen. Rather, TVOntario is progressing and has progressed in a staged and phased manner to provide transmission service and coverage throughout this province and has continued on a steady course to increase the coverage through its various transmissions and pickup on cable services.

We continue to put the highest priority possible on the expansion, and I will be pleased to continue discussions with the member to keep him informed of progress with specific dates attached.

Mr. O'Neil: Mr. Speaker, I am glad the honourable member asked this question, because we in that part of eastern Ontario, and that takes in all the way from Kingston through to Port

Hope and north to Peterborough and Mr. Speaker's riding, have been promised by the previous minister on two or three occasions that we were going to get those towers either this year or next year at the latest.

If the government knew it had other priorities as far as capital expenditures are concerned, why were we not told about that two or three years ago when the previous minister promised those stations to us? I have to go along with the member from Northumberland (Mr. Sheppard); it does appear that the government is neglecting the people in eastern Ontario, not only in this way but in other ways as well.

Hon. Ms. Fish: Mr. Speaker, I draw your attention to a remark of my predecessor, the member for Armourdale (Mr. McCaffrey), in the course of answering a question from the member for Quinte in the estimates debates of May 25, 1983. He indicated in respect to timing, "I cannot be more specific at this stage than the summer of 1984 because, clearly, the amount we will be able to undertake in terms of capital renewal, equipment replacement and network extension will be determined by how much money the government is going to be able to make available."

I reiterate that the priority has been placed in very substantial monetary terms on the service that TVOntario provides. We are in the course of considering expansion.

I might add that approximately two weeks ago we received from the federal government a report of a fairly major study on alternative technology to reach eastern Ontario, as well as other areas of the province, called direct satellite broadcasting, with the specific request that we review and consider the possibilities of TVOntario using the so-called DSB to enable coverage right across the province.

I can assure the members that we continue to place our priority on not only the traditional forms of technology in transmitters, but also look forward in the decades to come to new forms of technology, for example DSB.

Mr. O'Neil: On a point of privilege, Mr. Speaker: The minister has quoted only one statement that was made by the previous minister. I suggest that she go back to previous estimates and other matters and letters that are on file and state it would be built.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. Newman: Mr. Speaker, I have a petition to the honourable Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned teachers, beg leave to petition the Parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms,

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 128 teachers from the three following schools: Hon. W. C. Kennedy Secondary School, W. D. Lowe Secondary School and Walkerville Secondary School, all in the city of Windsor.

Mr. Breithaupt: Mr. Speaker, I have a petition in the same form signed by 354 teachers from Cameron Heights Collegiate Institute, Grand River Collegiate Institute, Eastwood Collegiate Institute, Forest Heights Collegiate Institute and Kitchener Waterloo Collegiate and Vocational School, all in the city of Kitchener.

4 p.m.

Mr. J. A. Reed: I have a petition to the Honourable the Lieutenant Governor of a like nature. The petition is signed by 350 teachers from the following schools: Acton District High School, E. C. Drury High School, Georgetown District High School, L. B. Pearson High School, Milton District High School and M. M. Robinson High School.

Mr. Epp: Mr. Speaker, I have a similar petition, signed by 170 teachers from the following schools: Waterloo Collegiate Institute, Bluevale Collegiate Institute, Laurel Vocational School and Elmira District Secondary School.

Mr. Edighoffer: Mr. Speaker, I have a petition with the same contents, signed by 117 teachers from the secondary schools of Listowel, Mitchell, Stratford and St. Marys.

Mr. Riddell: Mr. Speaker, I have a petition in a similar form, signed by 178 teachers from the following schools: Strathroy District Collegiate Institute, Medway High School, North Middlesex District High School and Lord Dorchester Secondary School.

Mr. Eakins: Mr. Speaker, I have a similar petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. The petition is signed by 100 teachers from the Lindsay Collegiate and Vocational Institute, Fenelon Falls Secondary School and I. E. Weldon Secondary School, all in the county of Victoria. I have the pleasure of presenting this petition.

Mr. Wrye: Mr. Speaker, I have a similar petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It is signed by 159 teachers from the following schools in the riding of Windsor-Sandwich: Centennial Secondary School, Forester Secondary School, William Hands Secondary School and Vincent Massey Secondary School.

Mr. G. I. Miller: Mr. Speaker, I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. The petition is signed by 158 teachers from the following schools: Caledonia High School, 18, Cayuga Secondary School, 46, Dunnville Secondary School, 48, and Hagersville Secondary School, 46.

Mr. Worton: Mr. Speaker, I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It is signed by 158 teachers from the following schools: Centennial Collegiate and Vocational Institute, Guelph Collegiate and Vocational Institute; College Heights Secondary School and the John F. Ross Collegiate and Vocational Institute.

Mr. Conway: Mr. Speaker, I have a petition in a similar vein to the Lieutenant Governor and, I might add, to the potentate of all education, signed by several teachers from Canadian Forces Base Petawawa, in the great electoral district of North Renfrew.

Mr. McGuigan: Mr. Speaker, I have a similar petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It is signed by 97 teachers from the Ridgeway District High School, the Blenheim District High School and the Tilbury District High School. I also have a petition from the Harwich-Raleigh Public School, which is located in Blenheim and is signed by 31 teachers.

Mr. Ruston: Mr. Speaker, I also have a petition signed by 265 teachers from the following schools: Belle River Secondary School, L'Essor, Essex Secondary, Sandwich West Secondary and Western Secondary.

Mr. Mancini: Mr. Speaker, I have a similar petition addressed to the Honourable the Lieu-

tenant Governor and the Legislative Assembly of Ontario, signed by 232 teachers from General Amherst High School, Harrow High School, Kingsville High School and Leamington High School.

Mr. Nixon: Mr. Speaker, I have a petition in the same terms, signed by teachers in the secondary schools of Brant county.

Mr. Van Horne: Mr. Speaker, it is a pleasure for me to present a similar petition from teachers in London, Ontario, particularly at these four high schools, three of which I had the honour and privilege of serving as principal: Sir Frederick Banting Secondary School, Clarke Road Secondary School, Sir George Ross Secondary School and Oakridge Secondary School. The total number of petitioners signing it is 194.

Mr. Wildman: Mr. Speaker, I am happy to join with the Liberals—who I am sure are going to vote along the lines of the petitions they are presenting—in presenting a similar petition on behalf of 48 teachers from the Central Algoma Secondary School in Algoma district. This represents 89 per cent of the teachers at that school, many of whom are constituents of the Minister of Labour (Mr. Ramsay), and I am sure he will support their position as well.

Mr. Di Santo: Mr. Speaker, I have a similar petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, signed by 160 teachers from C. W. Jefferys Secondary School and Downsview Secondary School.

Mr. Samis: Monsieur l'Orateur, j'ai la même pétition, signée par 163 enseignants de mon comté, venants de quatre écoles: l'Ecole Secondaire St-Laurent, l'Ecole Général Vanier, Cornwall Collegiate and Vocational School and the alternate school.

Mr. Charlton: Mr. Speaker, I have a similar petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario from 285 teachers in the Hamilton Mountain area from Barton Secondary School, Crestwood Vocational School, Hill Park Secondary School, Sherwood Secondary School, Sir Allan MacNab Secondary School, Southmount Secondary School and Westmount Secondary School.

Mr. Philip: Mr. Speaker, I have a similar petition, signed by 207 teachers, addressed to the Honourable the Lieutenant Governor and the Legislative Assembly, from North Albion Collegiate Institute, Humbergrove Secondary School, West Humber Collegiate Institute and Thistletown Collegiate Institute in my riding.

Mr. Laughren: Mr. Speaker, I have petitions signed by a total of 91 teachers from the Chelmsford Valley District Composite School, the Lively District Secondary School and the Chapleau High School. The petition reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act, because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms,

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

Mr. Foulds: Mr. Speaker, I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which reads as follows:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act, because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms,

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 150 teachers from Lakeview High School, Port Arthur Collegiate Institute, Hammarskjöld High School and Gron Morgan Memorial High School in Port Arthur riding, as well as 128 teachers from Fort William Collegiate Institute, Westgate Collegiate and Vocational Institute, Selkirk Collegiate and Vocational Institute and Northwood High School in the Fort William riding.

Mr. Mackenzie: Mr. Speaker, I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act, because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms,

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The petition is signed by 152 teachers from the following schools in Hamilton East: Albion Secondary School, Briarwood Secondary School, Glendale Secondary School and Sir Winston Churchill Secondary School. It will be interesting to see the position of all members on this petition.

4:10 p.m.

Mr. J. M. Johnson: Mr. Speaker, I wish to present several petitions to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which read:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to citizens of Ontario and restricts our basic free collective bargaining rights, and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms,

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

As chairman of the government caucus and on their behalf, I am tabling the petition addressed to my Progressive Conservative caucus colleagues.

Mr. Martel: Mr. Speaker, I have never seen so many people to my right anxious to present a petition which they will all vote against ultimately. I guess hope springs eternal with the teaching federation.

Mr. Conway: Do you really want a lecture on the traditions of parliamentary representation?.

Mr. Martel: Whatever the member for Renfrew North likes. Maybe he can make comment on it tonight.

Mr. Speaker: The order of business is petitions.

Mr. Martel: I suggest we trade him for future considerations. This petition is to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

Mr. Conway: We are not all at the end of a string.

Mr. Speaker: Never mind the interjections.

Mr. Martel: "We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows—"

Interjection.

Mr. Martel: That is why you didn't present a petition.

Mr. Riddell: I did present a petition.

Mr. Martel: And you will vote against it.

Mr. Riddell: Wait and see what happens.

Mr. Martel: "Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario—"

Interjection.

Mr. Martel: Oh good. "—and restricts our basic free collective bargaining rights, and—"

Interjections.

Mr. Speaker: Order. Please present your petition. The member for Victoria-Haliburton (Mr. Eakins) will please contain himself.

Mr. Martel: I want to declare and reflect the attitude of the people of Ontario.

"Whereas we believe that an extension of the act or measures which would have similar effects would violate the spirit of the Canadian Charter of Rights and Freedoms,

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 139 teachers from Garson-Falconbridge Secondary School, Ecole Secondaire Rayside, Ecole Secondaire Hanmer and Confederation Secondary School.

Mr. Bradley: Mr. Speaker, I beg leave to present a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights, and

"Whereas we believe that an extension of the

act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms,

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The above petition is signed by 326 teachers from the following secondary schools: Merrittton High School; Laura Secord Secondary School; Kernahan Park Secondary School; West Park Secondary School; Lakeport Secondary School; Governor Simcoe Secondary School; my old alma mater, Grantham High School; St. Catharines Collegiate Institute and Vocational School and the Lincoln County Board of Education Centre. Some of these schools are in the provincial constituency of Brock and some are in the provincial constituency of St. Catharines.

REPORTS

STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Hodgson from the standing committee on regulations and other statutory instruments presented the following report and moved its adoption:

Your committee begs to report the following bills with certain amendments:

Bill Pr2, Frontier College Act, Bill Pr17, Canadian National Exhibition Association Act, Bill Pr21, Institute for Christian Studies Act.

Your committee begs to report the following bills without amendments:

Bill Pr19, Family Day Care Services Act, Bill Pr31, City of Kingston Act and Bill Pr36, City of Toronto Act.

The committee would recommend that the fees less the actual cost of printing be remitted under Bill Pr2, Frontier College Act, Bill Pr19, Family Day Care Services Act and Bill Pr21, Institute for Christian Studies Act.

Motion agreed to.

Mr. Hodgson from the standing committee on regulations and other statutory instruments presented the committee's report and moved that it be placed on the order paper for consideration pursuant to standing order 30(b).

Motion agreed to.

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Robinson from the standing committee on social development presented the following

report and moved its adoption:

Your committee begs to report the following bill with certain amendments:

Bill 42, Ministry of Colleges and Universities Amendment Act.

Motion agreed to.

Bill ordered for committee of the whole House.

Mr. Conway: Excuse me, Mr. Speaker, I am sorry. I was just discussing certain matters with my House leader. Did you call Bill 42?

Mr. Speaker: Yes. It is going to committee.

Mr. Conway: Oh, fine.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Harris from the standing committee on general government reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Agriculture and Food be granted to Her Majesty for the fiscal year ending March 31, 1984:

Ministry administration program, \$13,183,100; agricultural marketing and development program, \$43,085,400; agricultural technology and field services program, \$81,714,900 and financial assistance to agriculture program, \$101,740,500.

MOTIONS

ORDER OF ESTIMATES

Hon. Mr. Wells moved that in committee of supply the estimates of the Ministry of Intergovernmental Affairs be taken before the estimates of Management Board of Cabinet.

Motion agreed to.

ESTIMATES

Hon. Mr. Wells moved that the supplementary estimates as they are tabled in the House be referred to the same committees to which the main estimates have been referred for consideration within the times already allocated to the main estimates.

Motion agreed to.

ORDERS FOR CONCURRENCE

Hon. Mr. Wells moved that any orders for concurrence in supplementary supply be included in the order for concurrence in supply for that ministry.

Motion agreed to.

STANDING COMMITTEES

Hon. Mr. Wells moved that membership on the standing committees for the remainder of the session be as follows:

Standing committee on administration of justice committee: Messrs. Breithaupt, Elston, Eves, Gillies, Kolyn, MacQuarrie, Mitchell, Renwick, Spensieri, Stevenson, Swart and J.A. Taylor;

Standing committee on general government: Messrs. Cooke, Eakins, Gordon, Haggerty, Harris, Henderson, Hennessy, Kennedy, McKessock, McLean, Samis and Sheppard;

4:20 p.m.

Standing committee on members' services: Messrs. Charlton, Grande, Havrot, Hodgson, J. M. Johnson, G. I. Miller, Rotenberg, Runciman, Ruprecht, Shymko, Wrye and Yakabuski;

Standing committee on procedural affairs: Messrs. Breaugh, Cassidy, Cureatz, Edighoffer, Epp, J. M. Johnson, Mancini, McNeil, Rotenberg, Runciman, Treleaven and Watson;

Standing committee on public accounts: Messrs. Bradley, Cunningham, Harris, Kennedy, Kolyn, Philip, T. P. Reid, Robinson, Sargent, Mrs. Scrivener, Messrs. Wildman and Yakabuski;

Standing committee on regulations and other statutory instruments: Ms. Bryden, Messrs. Cousens, Di Santo, Hennessy, Hodgson, Kerr, Kerrio, McEwen, Piché, Pollock, Van Horne and Williams;

Standing committee on resources development: Messrs. Barlow, Lane, Laughren, McLean, Piché, T. P. Reid, Riddell, Stokes, Sweeney, Watson, Williams and Wiseman;

Standing committee on social development: Mr. Allen, Mrs. Birch, Ms. Copps, Messrs. R. F. Johnston, Kells, McGuigan, McNeil, Pollock, Robinson, Sheppard, Shymko and Wrye.

Motion agreed to.

INTRODUCTION OF BILLS

NEW HORIZONS DAY CENTRE INCORPORATED ACT

Mr. Cousens moved, seconded by Mr. Runciman, first reading of Bill Pr38, An Act respecting New Horizons Day Centre Incorporated.

Motion agreed to.

CROP INSURANCE AMENDMENT ACT (ONTARIO)

Hon. Mr. Timbrell moved, seconded by Hon. Mr. Brandt, first reading of Bill 85, An Act to amend the Crop Insurance Act (Ontario).

Motion agreed to.

Hon. Mr. Timbrell: Mr. Speaker, the importance of the apple crop to this province is decisive. Apples are by far the largest of our fruit crops. They are grown everywhere and the production of certain varieties is now on the increase to improve even more the primary position apples hold in fruit exports. Currently apples account for well over one third of all fruit sales in the province and it is vital, therefore, that the future of this crop be preserved.

The members are aware of the susceptibility of apple orchards to a host of weather and other hazards. Devastation to trees and crops results from severe weather conditions, virus disease and other perils.

Today I have introduced amendments to Ontario's Crop Insurance Act to clarify the authority of the Crop Insurance Commission of Ontario to offer insurance against the loss of fruit trees due to those hazards that are designated in the regulations.

The so-called apple tree loss rider for 1983 is covered under the Canada-Ontario crop insurance plan. It is continued from last year by the commission as part of its apple production insurance. Growers must have production insurance and a minimum insurable tree value of \$3,000 to qualify. The rider covers perils like winter freeze, ice damage, hail, flood, wind and tornado, and uncontrollable diseases. The maximum amount payable under apple tree insurance for 1983-84 is \$40 for a standard tree and \$12 for a dwarf tree.

Under the Canada-Ontario crop insurance program the federal government provides half of the total premiums required, with the Ontario government picking up all of the administrative costs. These contributions enable the grower to buy insurance protection at an affordable price, namely at one per cent of the coverage for the tree loss rider. For example, if an orchardist has 400 standard trees with eligible maximum coverage of \$40 per tree, his insurance will be \$16,000 and his premium \$160. This amendment will provide extended coverage for the apple grower against loss of his trees and therefore offer him a greater measure of needed protection.

While on the subject of apple protection, I would like to remind the members of a program we announced during the summer break. It is a \$500,000 plan to cover the costs of replacing trees killed by the past two severe winters in

eastern Ontario. Apple production is that area's best fruit crop, important for the incomes of local growers, packers and processors.

TOWNSHIP OF MATTICE-VAL COTE ACT

Mr. Piché moved, seconded by Mr. Eves, first reading of Bill Pr39, An Act to continue the Corporation of the Union of Townships of Eilber and Devitt under the name of the Corporation of the Township of Mattice-Val Coté.

Motion agreed to.

REGIONAL AND METROPOLITAN MUNICIPALITIES AMENDMENT ACT

Hon. G. W. Taylor moved, seconded by Hon. Mr. Wells, first reading of Bill 86, An Act to amend certain acts respecting Regional and Metropolitan Municipalities.

Motion agreed to.

Hon. G. W. Taylor: Mr. Speaker, I have a brief explanatory note. The bill will remove from the acts establishing the regional municipalities, except those of Ottawa and Carleton, and from the Municipality of Metropolitan Toronto Act, the present requirement that one member of the board of commissioners of police be a judge. A similar amendment was made to the Police Act in 1979, so that brings these acts into the same consistency, that a member of the board of commissioners of police need not be a judge.

I will have a companion bill to this, Mr. Speaker.

Interjections.

4:30 p.m.

Mr. Speaker: Order, please. Unknown to me, the Solicitor General has another bill.

Hon. G. W. Taylor: That is right. I have the companion bill.

POLICE AMENDMENT ACT

Hon. Mr. G. W. Taylor moved, seconded by Hon. Mr. Wells, first reading of Bill 87, An Act to amend the Police Act.

Motion agreed to.

Hon. G. W. Taylor: Mr. Speaker, I have a brief explanatory note. The bill would amend the Police Act to enlarge boards of commissioners of police in municipalities with populations over 25,000 and in smaller municipalities that opt for expanded boards from three to five members by adding an additional municipal and an additional provincial appointee.

CITY OF TORONTO ACT

Mr. Shymko moved, seconded by Mr. Robinson, first reading of Bill Pr12, An Act respecting the City of Toronto.

Motion agreed to.

BROCKVILLE YMCA/YWCA ACT

Mr. Runciman moved, seconded by Mr. Cousens, first reading of Bill Pr32, An Act respecting the Brockville Young Men's Christian Association/Young Women's Christian Association.

Motion agreed to.

CITY OF GUELPH ACT

Mr. Worton moved, seconded by Mr. Newman, first reading of Bill Pr28, An Act respecting the City of Guelph.

Motion agreed to.

CITY OF HAMILTON ACT

Mr. Charlton moved, seconded by Mr. MacKenzie, first reading of Bill Pr41, An Act respecting the City of Hamilton.

Motion agreed to.

HUMAN TISSUE GIFT AMENDMENT ACT

Mr. Van Horne moved, seconded by Mr. Nixon, first reading of Bill 88, An Act to amend the Human Tissue Gift Act.

Motion agreed to.

Mr. Van Horne: Mr. Speaker, this bill is intended to facilitate the obtaining of human organs for transplant purposes by creating an automated register of the names of all persons entitled to insured services under the Health Insurance Act, indicating whether each person has filed a general or specific consent to post-mortem organ donation, has filed an objection to the procedure, or has done neither. Provision is made for the amendment of the register and for keeping it confidential.

I would add, too, that this bill, with the same title, was debated in the House, criticized and failed to pass in the spring of this year. It is interesting to note the former Minister of Health a few days later made a rather glowing comment on the need for kidney donations. About the same time I saw for the first time advertisements sponsored by the Solicitor General's office encouraging the use of drivers' licences for organ donation.

Also, we are aware of the fact the government

has appointed a committee to study the need of organ donation. This bill is intended to keep the theme in front of the members of the Legislature. It has a different thrust from the one presented in the spring. I hope when the time comes to debate it the government will reconsider.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Di Santo moved, seconded by Mr. Samis, that pursuant to standing order 34(a), the ordinary business of the House be set aside in order to discuss a matter of urgent public importance, namely, the recent revelation that units 1 and 2 of the Pickering nuclear generating station A may have to be retubed as a result of the rupture that took place in August of this year at a cost of between \$100 million and \$300 million per unit, and the potential impact of this early replacement on the already escalating costs of nuclear power and thereby on the overall economic viability of the nuclear power program.

Mr. Speaker: I would like to inform honourable members that the motion for emergency debate was indeed received in time, namely, at 10:50 a.m. I shall listen with close attention while the member tells us why he thinks the ordinary business of the House should be set aside to hear this discussion.

4:40 p.m.

Mr. Di Santo: Thank you, Mr. Speaker. I am pleased that you will listen with attention to my argument.

When I thought of introducing the emergency motion, I did not know that the minister was going to make a statement in the House this afternoon. However, when I heard the statement I was deeply disappointed. In fact, the minister did not answer any of my concerns or the concerns of the majority of the people of Ontario who are faced not only with the accident I mentioned in my motion but also with a series of other accidents that took place from August 1 to September 3 at various nuclear power stations in Ontario.

The minister told us that Hydro keeps him fully informed, but the minister did not tell us what we—and I must say his statement was taken almost verbatim from today's Toronto Globe and Mail. In fact, the Globe and Mail gave us most of the information. Moreover, the information came to the conclusion that, most likely, the Pickering tests hint at massive repairs.

I think this is a very serious business which we should discuss. Today is the very first opportu-

nity that this House, and through this House the people of Ontario, can debate fundamental issues such as Ontario's policies and what is happening at the nuclear stations in Pickering and the other plants.

We know that the repairs that will be undertaken when the final results come from the nuclear laboratory will range from \$100 million to \$200 million or more. We do not know how much because it may be that both the nuclear stations should be retubed completely. This would mean an additional cost, which we do not know now but it would have a very serious impact on the performance of the utility. Above all, it would have a very serious impact on the rates that would be imposed on the consumers of Ontario. In fact, those who are going to have to pay the bill will be the consumers of Ontario. The minister did not address any of those issues.

He did not address the issue of safety. We know very well about the discharge of tritium at the beginning of September and we know that Ontario Hydro officials mounted a colossal public relations campaign, but they have given us very little information. We questioned the previous Minister of Energy about the tritium treatment plants, but we never had an answer. Actually, the minister said the tritium treatment plants will be discussed in the future when Darlington is built.

We were told by Hydro officials that an accident like the one that occurred on August 1 at Pickering 2 could never occur because of the theory of breaking before leaking and not leaking before breaking, but that accident occurred.

We know there are problems of safety and there are problems of cost. I think this is a very important issue and it is urgent that we debate it today. Today is the very first occasion that we are able to debate the issue in this Legislature and inform the people of Ontario and find out, above all, what the policies of the government are, and not just have a statement which does not say much to us and does not say much to the people of Ontario.

Mr. Kerrio: Mr. Speaker, I rise to support the motion for an emergency debate put by the member for Downsview and I do so because of so many unknown factors in the nuclear option.

Of course, Ontario Hydro has been trading on the name Ontario Hydro for a good long time, and really it is a misnomer. It really should be called Ontario Energy Enterprises Inc. They have gone a long way from the mandate that

made them what they are, in the sense that the power that has been hydraulically generated for many years has been clean and it does not affect the environment.

We now have a large enterprise that has gone into the nuclear option quite prematurely, we think. Not that we would not support research into this great field, but we feel we should not have accepted the fact that Ontario Hydro has gone one third into the option and is considering going further in that direction.

It seems very odd that Candu reactors have been sold abroad only at great loss to the people of Canada and that we now are confronted with so many unknowns, as was pointed out by the member for Downsview.

We have gone through the hearings of the select committee of the Ontario Legislature not knowing from one day to the next what the cost of uranium was going to be. We have gone through those questions with the best brains in nuclear science to try to find out what it would be worth to decommission one of these nuclear plants.

We cannot find out what it is going to cost to put the spent fuel into what one might consider as safe storage. It is all above the ground in the jurisdictions of the United States and Canada where all these nuclear reactors have been producing power, and the lifespan of those plants is questionable.

We saw what happened at Three Mile Island. We are wondering about the cost of getting that plant back into commission. So one can see we have good reason to want to bring this issue back in order to debate it in this chamber.

There may be those who would suggest that this government has always put forward the notion that Ontario Hydro is at arm's length, that it was given a mandate under the Power Corporation Act to do its thing as it sees fit. But we also saw that when the time came for that government to put the brakes on that great powerful corporation, all that Darcy McKeough, the then Treasurer, had to do was to restrict its borrowing and conveniently take what the government used to propose as an arm's-length relationship with Ontario Hydro and show the people of Ontario that, indeed, the Conservative government could pull Ontario Hydro back, stop it, slow it down, or do whatever it chose.

But one thing they do not do is allow the kind of debates that should transpire within this Legislature in relation to Ontario Hydro. That is why this motion is so significant and important and why we are supporting it. We think it is time

that we should be able to discuss again those things which Ontario Hydro is doing so that it would fit more meaningfully into the energy picture, to take it out of conservation, out of alternative energy resources, out of those fields where it is completely in contradiction with itself by trying to force the sale of surplus electricity.

The reason we are supporting the motion is that we certainly do not know—no one knows—what it costs to produce nuclear power. It is about time we did, and until we do we should put the brakes on that particular aspect.

Today I was trying to raise the question with the new Minister of Energy (Mr. Andrewes) to suggest that we should have developed every last vestige of hydraulic power within this province before we went on this escapade with nuclear power. I think that many people in Ontario will begin to believe that the opposition parties now have made some very meaningful contributions in relation to where Ontario Hydro should be going, how this Legislature should be able to draw them in and to describe to them what their real mandate is, and that is to get out of the free-wheeling enterprise they are running and begin to be responsible to the people of Ontario through this Legislature.

4:50 p.m.

Hon. Mr. Andrewes: Mr. Speaker, I rise on behalf of the government to oppose the motion for an emergency debate on the recent events at the Pickering generating station and the economic viability of the nuclear power program.

At the outset, I want to correct one use of terminology that appears to be popular both here and in the media. In reference to the situations at Pickering as they happened on August 1 and subsequently, we see reference made to the events as accidents. We want to be careful that we do not lose the context of what we are talking about.

We have a breakdown. We have a mechanical failure. We have a problem with a nuclear reactor that is a piece of equipment made by man. When this equipment was developed, no one in his right mind ever thought it would be perfect and everlasting. To talk about it as an accident is a misnomer and an inaccuracy.

As I reported to the House, and in response to questions from the Leader of the Opposition (Mr. Peterson), I have been informed by Ontario Hydro that a comprehensive analysis of the pressure tube problem will not be available for another month or so, and the extent of the rehabilitation work that must be undertaken

before unit 2 can be restarted will depend on the results of that comprehensive analysis.

I would also like to remind the members that Pickering unit 2 cannot be restarted without the approval of the Atomic Energy Control Board, whose responsibilities in this matter I referred to in my earlier statement. There are some, no doubt, who would like to remove that responsibility from the board. It has been a very constructive process. It is a federal legislative requirement that the board be the regulatory authority, and I would not propose we interfere in that process.

I feel it would be premature to undertake any debate or review of the events at Pickering until Ontario Hydro has had adequate time to assess the results of the analysis that is currently under way and consultation with and direction from the Atomic Energy Control Board has been undertaken and received.

The member for Downsview admits he does not know how many dollars are involved. He does not know the situation that currently prevails at Pickering. All of it is speculation based on a current report in the *Globe and Mail* by Mr. Claridge. In the interim, until Hydro reports on the analysis received from Chalk River, the chairman of Hydro is keeping me informed of what they are doing and the results of the analysis, and I intend to report to the House as I did this afternoon and will continue to do.

Mr. Speaker, I would urge you consider these arguments on the merits of this request in the light of the definition and the criteria for an emergency debate.

Mr. Speaker: I have listened carefully to the submissions put forward by members of all three parties. I have some reservations about the immediacy of the motion, given the fact there has been a lot of opportunity to discuss it and there has been a lot of public discussion.

However, having said that, I feel it is a matter of importance and, therefore, I am going to put the question to the House whether this debate shall proceed.

5:15 p.m.

The House divided on whether the debate should proceed, which was negatived on the following vote:

Ayes

Allen, Boudria, Bradley, Breaugh, Breithaupt, Bryden, Cassidy, Charlton, Conway, Cooke, Cops, Di Santo, Edighoffer, Elston, Epp, Foulds, Grande, Johnston, R. F., Laughren, Mackenzie,

Mancini, Martel, McClellan, McGuigan, McKessock, Miller, G. I.;

Newman, Nixon, O'Neil, Philip, Rae, Reed, J. A., Renwick, Riddell, Roy, Ruprecht, Ruston, Samis, Sargent, Stokes, Swart, Van Horne, Wildman, Worton, Wrye.

Nays

Andrewes, Baetz, Barlow, Bennett, Bernier, Brandt, Cousens, Cureatz, Dean, Eaton, Elgie, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Harris, Henderson, Hennessy, Hodgson, Johnson, J. M., Jones, Kells, Kolyn, Lane, Leluk;

MacQuarrie, McCaffrey, McCague, McLean, McMurtry, McNeil, Mitchell, Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Snow, Stephenson, B. M., Stevenson, K. R., Taylor, G. W., Timbrell, Treleaven, Walker, Watson, Welch, Wells, Williams.

Ayes 45; nays 55.

5:20 p.m.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

Hon. Mr. Wells: Before the orders of the day, Mr. Speaker, I would like to table the answers to questions 230, 231, 295, 304, 307, 308, 310, 311 and 312 standing on the notice paper [see Hansard for Friday, October 14.]

ORDERS OF THE DAY

OFF-ROAD VEHICLES ACT

Hon. Mr. Snow moved second reading of Bill 61, An Act to regulate Off-Road Vehicles.

Hon. Mr. Snow: Mr. Speaker, as four months have passed since first reading was given to Bill 61, An Act to regulate Off-Road Vehicles, I shall briefly summarize its background and purpose.

Municipalities across this province have voiced their concern over the lack of control of off-road vehicles, and this concern has increased steadily. It is very clear that the municipalities want provincial control over trail bikes and other related motorized off-road vehicles. Many of these vehicles are not licensed under the Highway Traffic Act, either because they do not meet the equipment requirements for highway operation or because the owners often choose to operate them exclusively off the highway.

Without mandatory vehicle licence plates and without mandatory registration, municipal bylaws cannot effectively control the damage to

public property caused by such vehicles. This bill has been designed to respond to their needs. Hence, all owners of these off-highway vehicles will be required to register their vehicles unless they are already licensed under the Highway Traffic Act.

The registrant must be 16 years of age or over and will be required to pay a one-time registration fee valid for the lifetime of the holder. In accordance with the new plate-to-owner vehicle registration system, the present owner will keep the plates when transferring the vehicle. This bill will lay the responsibility for violations under this act and any liability for personal injury or property damage upon the owner as well as the operator.

Off-road vehicles are defined as motorized two- and three-wheel vehicles not specifically exempted by regulation. In committee I intend to move an amendment that will allow the Lieutenant Governor in Council to prescribe by regulation specific types of vehicles having more than three wheels that are of a recreational character and that it is felt should be regulated under this act, such as vehicles manufactured as dune buggies.

There are provisions to exempt from this act by regulation vehicles such as self-propelled implements of husbandry, roadbuilding machines, golf carts and vehicles for the physically disabled. In addition, the remote section of northern Ontario, already exempt from the Motorized Snow Vehicles Act, will be exempt from the mandatory registration of off-road vehicles.

I also intend to move in committee an amendment to section 2 that will permit drivers of off-road vehicles to cross highways, provided the driver holds an HTA driver's licence. This change is in response to requests from the farm community, which is making increased use of these vehicles.

It is the intention of this bill to encourage the safe driving of these recreational vehicles and provide a method of control and identification.

Mr. J. A. Reed: Mr. Speaker, I rise on behalf of my party to support the intent and the thrust of this bill. As we know, this bill is approximately three or four years late in being presented to this Legislature.

I recall the time—I believe it was 1979—that amendments were made in an omnibus motion to this House on the last days of the session of that year. They would have amended the Municipal Act to provide some sort of municipal control for off-road vehicles. It was patently clear that the amendments were not workable,

they were not applicable on the broad provincial base and, therefore, they really were a very amateurish attempt to come to grips with what has become a rather widespread problem in the province.

I heard the minister in his opening statement saying the municipalities had asked for this bill. But the off-road vehicle industry—that is, the dealers, the manufacturers and the associations that use these vehicles in competitions—has also asked for this legislation; it has also made a contribution to its content.

While we are in favour of the principle of this bill and we favour its intent, there are a number of areas where we have particular concern. I will delineate a very few of them, and my colleagues will expand somewhat on the specific content.

First, I ask the minister that at the committee stage this bill go to a standing committee. I ask that it be sent outside the House to where a freer and more open debate can take place. Constructive changes could be made in a standing committee to make it more workable, more suitable and more fulfilling of its general intent.

I refer first to the element of exemption. I realize the bill can exempt certain classes of off-road vehicles but only through the Lieutenant Governor in Council. I respectfully suggest to the minister that while that should continue in the bill, some recognition should be given to those obvious exemptions that could be made right in the core of the legislation.

For instance, the associations that use off-road vehicles competitively would be required under this legislation, without exemption, to have some kind of licence on the vehicle and to carry insurance. However, when a vehicle is used for competitive purposes only those elements seem rather ludicrous. I think there should be some full and open debate to discuss just what is needed.

One of the concerns that has been expressed to me is over the licence plate itself and the kind of registry required. Is it the minister's intent, for instance, that the identifying licence plate or identifying marker be made of a firm, hard material, perhaps sitting up behind the driver's seat, or in front of the handle bars if it is for what is commonly known as a dirt bike? Such identifying markers could be physically dangerous if they are used in off-road situations.

I think some of these things have to be clarified.

It has also been brought to my attention that the Canadian Motorcycle Association would be

agreeable to a clause in the legislation which would be a sound-level clause, if you like. It would agree to something that would provide an upper decibel level in the amount of muffling required on these bikes.

At present there is no requirement for noise level reduction for off-road vehicles, so far as I know—certainly none of any significance. Yet here we have the industry that is most vitally concerned with the use and promotion of these vehicles wanting to participate in a very full way in the development of this legislation and the development of the kind of bill that is going to do the job.

5:30 p.m.

To get back to the insurance, for instance, I understand that no insurance is required on snowmobiles at present. Maybe the minister can answer that. Maybe he can answer, too, where the differences lie between the snowmobile legislation and this legislation, understanding that some of the vehicles that are off-road vehicles are convertible and are used as snowmobiles in the wintertime and as dirt-track vehicles in the summertime.

We are looking forward to these amendments with interest. It is with some concern about those specifics, and some that my colleagues will talk about in a few minutes, that we support the spirit of the bill. We say it is long overdue in coming to this Legislature, and we hope the government will participate in certain changes and amendments that will make it more workable and more acceptable to both the industry and the municipalities at large.

Mr. Samis: First of all, I want to congratulate the member for Mississauga North (Mr. Jones), who is occupying the chair at present, upon his appointment as Deputy Speaker and for the sartorial splendour he seems to be intent on bringing to that chair. It represents a drastic change from the plebeian, proletarian appearance of the member for Durham East (Mr. Cureatz). It will take us a while here on the opposition side to get adjusted to his Reaganesque style, but we will do our best to make that adjustment.

I also want to congratulate the minister before moving to the bill on surviving yet another cabinet shuffle and defying the predictions of all the pundits in the fourth estate, who are not with us today. I do not know how many times he has done it, but I think he now deserves to be baptized as the Anastas Mikoyan of the Tory regime because he has outlasted almost

every other member over there through cabinet shuffles in the same portfolio for I do not know what it is now—11 years or so. I think Anastas in his grave would be proud of him for his longevity and his facility in remaining in that post.

I also think this bill is ominous in the sense that it shows that the minister is able to move from intended massive megaprojects in Oakville to something of a provincial nature, from a dome that Harold Ballard will not accept, the mayor of Hamilton will not accept and the mayor of Toronto will not accept to grass-roots dirt bike legislation like this. I think it displays remarkable facility on the minister's part. I would not want to take away from his initiative and his interest in promoting the interests of his riding in seeking a domed stadium, which we all know will never be located in Oakville, but his initiative is to be admired and he is to be congratulated for it.

Now moving to the bill, Mr. Speaker, with that introduction, let me say very briefly that we on this side will support the bill. We support the move to exercise control over off-road vehicles. It is long overdue. It is a move that has been sought by many associations and individuals over the past three or four years.

We support the concept of licensing and registering those vehicles, we support the policy of making the wearing of helmets mandatory for anybody on these vehicles, we support the general concept of mandatory public liability insurance and we support the move to limit the registration of these vehicles to people 16 years of age. However, there are a few questions that arise.

We obviously support the intent, the thrust and the overall content of the bill, but we do have some concerns on this side about the question of insurance. We do support the idea of mandatory insurance, but the whole question of cost has not been resolved.

It is my understanding that the minister and his staff have been, not negotiating but having discussions, with the insurance industry as to working out a schedule of rates for the people affected by this act. I ask the minister to bring us up to date on the moves and the initiatives taken by the insurance industry.

We have a certain concern for the interests of the consumer. If this insurance is to be made mandatory, we want to see that the tariffs charged are subject to some form of review so that the users of trail bikes and all-terrain vehicles, or any other vehicles that may be introduced in the future, will not be exploited by

the insurance industry. We would like to see some form of protection.

I think it is worth while that the problem of vintage and competitive motorcycles has been taken into consideration by the ministry staff and that adjustments have been made. I congratulate the minister for listening to their representations; it seems to me they had a very valid point.

I do have a small personal concern about the concept of designating the parent or owner as opposed to the driver as the person responsible. I realize the philosophy behind the ministry's move to have the parent as the person responsible for acquiring the insurance, the plate, etc. The only concern I have is that somebody who is 12, 13, 14 or 15 will be able to drive these vehicles rather freely within certain confines, but the onus will still be on the parent.

I know the philosophy is that if the parent puts out the bucks and takes the initiative to acquire one of these vehicles, then the parent should be involved with his or her son and educate him on the rules of the trails and his responsibility. But I have some personal reservations about the onus being put almost exclusively on the parent in the relationship between government and owner.

I hope that if we proceed along this line, the government will make a commitment to somehow have some form of public education for the people under 16 who may be purchasing these vehicles. This could be done in conjunction with the manufacturer, through retailers, and possibly through the Canada Safety Council. But I hope we will not just let a 13-year-old acquire one of these vehicles, go out on the trails as long as he has the helmet and the old man pays for the licence and registration, and more or less think he is scot-free to do whatever he wants.

I do have some reservations about the thrust of the bill in the sense that it places a pretty heavy reliance on regulations for making adjustments. I can understand some of them, and I welcome the changes that were made in the amendment dealing with four-wheel vehicles. But it seems to me that overall there is a pretty heavy reliance on the regulatory aspect of the bill in resolving some of the implications and possibly some of the problems. I recognize some of the problems may be very specific and precise, and that may require a regulatory agency as opposed to a legislative one, but I do have certain reservations.

It seems to me the bill is a bit tilted towards

the regulatory as opposed to the legislative. I hope if we are going to plate the vehicle, which is the system mentioned in the bill, the embattled system will be able to cope with these new additions. The system seems to be having terrible problems at present dealing with automobile owners of the province and the backlogs created with them.

I would also ask the minister to expand briefly on the geographic areas of the province which he mentioned might be given exemptions from this, and to tell us what areas would be considered for that. I presume they would be certain areas of the north, but I would ask the minister to give us a little more information as to the areas that will be given consideration.

To sum up, we support the bill. We will support the amendments, and we will expedite its passage.

The Deputy Speaker: The member for Essex North. I am sorry, I mean the member for Prescott-Russell.

5:40 p.m.

Mr. Boudria: Thank you, Mr. Speaker. I was afraid you had your geography confused for a moment and had moved my riding some 500 miles farther southwest than it is.

I would like to speak briefly to the bill. Prior to doing that, I would like to congratulate you, sir, on the way in which in your new uniform you are bringing decorum to the high office you hold. I happen to think very highly of the particular view you are undoubtedly bringing to the high position you now hold.

We had considerable deliberation on the issue of child abuse in the social development committee over the past few months. One issue I raised on many occasions was what I called the neglect of affluence, which is sometimes caused by people in the higher salary brackets buying very expensive toys for their children and sending them to play in very dangerous areas.

Of particular concern is the way young children use snowmobiles and off-road vehicles. I consider that a form of child neglect or child abuse by parents when this type of thing happens. Most of us who live in rural areas do not go a day without seeing some very young child driving a vehicle that can go 50, 60 and 80 miles an hour. I know the member for Leeds (Mr. Runciman) prefers me to say miles an hour as opposed to kilometres. In any case, it is a very dangerous situation we now see in this province.

In our deliberations in the committee earlier this year, the Minister of Community and Social

Services (Mr. Drea) indicated that the Minister of Transportation and Communications (Mr. Snow) shortly would be coming up with a bill to correct some of those problems.

I do not think the bill goes far enough in correcting some of those problems. In other ways, I am somewhat confused by some of the wording in the bill. I hope the minister can clarify it for us. I am in support of the legislation, and I do think it is high time this Legislature expressed itself very clearly in terms of our concerns over some of the things we see happening in regard to our younger citizens using these motor vehicles. I hope the minister will take note of a few things I am particularly concerned about and explain them to us later.

I recognize the minister is going to make certain exceptions where the agricultural community is concerned. If someone is the occupier of land, but the land is registered to a company—some farms are incorporated rather than being simply privately owned—is that person deemed to be an occupier of the land for the purpose of this act? Perhaps the minister could clarify that, because it is not clear to me.

Another concern I have was explained briefly by the member for Halton-Burlington (Mr. J. A. Reed) regarding the definition of an off-road vehicle. It is very confusing to me when I see what some of those vehicles look like. A person who lives not too far from me has added two wheels at the front of his snowmobile where the skis were and he uses that in the summer; it uses the track at the back but has wheels at the front. I would like to know whether that is a snowmobile when used in summer. Is the motorized snow vehicle legislation going to apply in that case or does this new bill apply?

The other thing I want to bring to the minister's attention is that some of the large three-wheel motorcycles are sold as all-season vehicles; meaning, of course, that they are used on packed snow in the winter like a snowmobile. If I read the motorized snow vehicle legislation correctly, it says a person can drive a motorized snow vehicle on a public trail at the age of 12. Would I be right in saying a person could drive the same vehicle in the winter at age 12 but would have to be 16 to drive in the summer? It is the same vehicle, but is used as a snowmobile in the winter and a trail bike in the summer. I find it all very confusing and I hope the minister can clarify it.

With regard to permits for these vehicles, I do not see how they are going to prevent children from using the vehicles. My biggest concern is

not whether the vehicle is licensed, but whether we keep seeing seven-year-olds driving them. That is the big concern and really the focus I would have hoped this legislation would take. Perhaps the minister can explain to us whether this legislation is going to do anything for that.

Provided a vehicle is licensed under this particular law, will that make it possible for a peace officer to stop a seven-, eight- or nine-year-old from driving it? I am of the view that we should perhaps use the Child Welfare Act to stop that kind of thing right now, because it is purely negligent to let small children use them. I guess those are personal views rather than anything else. I am not sure whether we could use those laws.

One concern I have with section 9 is with respect to use of a trail bike for the purpose of racing. In clause 9(b) it says the numbers must be kept free from dirt or obstruction. I wonder how one would keep the numbers clear from obstruction when one is racing in the mud. It almost sounds like an impossibility. I want to know whether the minister intends to contemplate an exemption in that clause for racing or organized competitions. If he has ever been to a dirt race track and seen an organized race, he will know it is difficult to imagine that one could keep those numbers clean in that kind of circumstance.

The other thing on which I am not sure of what the law will do is the following: what happens to those organized races where the drivers are under 16? I recognize what I have just said about the seven-year-olds and so forth, but say there are such races starting at age 14 perhaps. I know some clubs do that. Will they be affected by this legislation in any way? If so, how?

Section 16 also confuses me somewhat when it refers to the owner or occupier of a property being able to stop the person who is driving on it. It says something to the effect that a person owning the property can stop, by signalling, a person who is driving his motorized vehicle on that property. But it does not say what happens next, or at least I do not believe it states clearly what happens next.

Say one stopped a person, what then? If one warns that person, does it mean one can stop that person from coming again? What mechanism is it going to take, or will it be done by regulations spelling out exactly what happens when one stops a person who is travelling on one's property?

I live in a country area, and I would be

unclear as to what to do if I stopped an individual on my property, asked him to identify himself and then told him to go away. What happens if he comes back in 10 minutes? Do I do the same thing over again? What recourse would I have?

The Deputy Speaker: I remind the honourable member that some of these questions no doubt have to do with specific sections; perhaps he could keep the thought in mind that no doubt, as the minister has indicated, this is going to committee of the whole.

Mr. Boudria: Okay. The minister has not replied to that part yet, but I will make my comments very brief. I have only one other concern and perhaps the minister could explain it.

Is it contemplated that there will be such a thing as one-day permits for out-of-province vehicles that come here to race, to visit or anything else for that matter? If there are to be such one-day permits, how will they be permitted? Will there be exemptions from insurance in the case of one-day permits? How exactly does the minister intend to proceed with those? Those are really some of the main concerns I have.

5:50 p.m.

Ms. Bryden: Mr. Speaker, I too welcome this legislation, although I think we have been waiting for it for quite a long time. But this is usually the way the Tory government acts. They wait until there is a fair groundswell of concern before they take action on issues. This is so even when safety matters are involved, such as the lack of helmets required for the operators of off-road vehicles at the present time, or when irresponsible owners and operators could cause damage to property or could create noise problems in public recreational areas or could be a hazard to other persons. It is high time we had legislation in this field.

I am not sure whether the minister thinks off-road vehicles might even be operated inside his domed stadium. At least he will be prepared for that and have them under control if the stadium could be put to such a use.

I am sure the majority of the owners and operators of these vehicles are responsible persons who operate them with due regard to the rights of others. I think they, too, will welcome legislation which brings the few irresponsible ones under control by a system of permits and regulations, with penalties for violation of the rules.

However, I do have some problems with the legislation on a matter of principle. Like an increasing amount of Tory legislation brought before this House, it leaves far too much to regulations instead of spelling out what sort of controls will be prescribed or what exemptions will be permitted.

The power this government is constantly seeking under this kind of legislation, in effect, destroys the right of the Legislature and the elected representatives to make our laws and to debate the measures proposed to control a specific problem. For example, the regulation section empowers the Lieutenant Governor in Council to prescribe the fees to be charged for permits and all the details regarding the permits and the plates. It also enables the Lieutenant Governor in Council to designate the classes of vehicles to be covered, the geographic areas to which the act will be applied and even the fees to be paid for copies of documents or access to documents by persons affected.

I hope this government will soon follow the example of Ottawa in providing for notice to the public of proposed regulations before they are passed. This would give the public an opportunity for input into the details of the measures contemplated.

The government might also look at the work and reports of our own standing committee on regulations and other statutory instruments over the past two years. It has been studying the advisability of what is known as notice and comment on regulations prior to finalization. The subject is dealt with in the latest report from the committee, which recommends incorporation of notice and comment procedures in appropriate legislation in the province. When notice and comment is adopted for most regulations that affect significant numbers of citizens, the exercise of the regulatory power will be brought under more scrutiny. Citizens then may have an opportunity to influence the content and sometimes save the government from making serious mistakes.

A second area of the bill which I believe bothers all my colleagues and myself is the compulsory insurance requirement for all owners without any provision for regulation of rates. We know there is the same kind of insurance for car owners, but this is a smaller market. Here there is an even greater danger of people seeking insurance being victimized by insurance companies that simply say: "Take it or leave it. These are the rates." I think there should be some opportunity for them to appeal

rates and for the government to review them and, if necessary, roll them back.

A third point that concerns me is a matter brought to me by an owner of a number of vintage motorcycles. He collects such vehicles as a hobby and participates in meets with them. These vehicles are operated entirely off-road and only occasionally in a meet.

He feels it is very unfair to require a permit and insurance for every single vehicle. He wondered if it would not be possible to have some sort of group permit and some requirement that the insurance companies provide one policy for all these vehicles owned by the same owner. This would not be as expensive as insuring each vehicle separately at what may be prohibitive rates of insurance that make the pursuit of this particular hobby really beyond people of fairly modest means. I hope an amendment will be brought in which would allow for special permits and special insurance for this class of off-road vehicles.

Another area of concern about the bill is the enforcement provisions. Enforcement is put in the hands of peace officers who are defined on page 2 of the bill as "a police officer, constable, conservation officer or other person employed for the preservation and maintenance of the public peace or any officer appointed for enforcing and carrying out the provisions of this act."

It seems to me this gives power to a very large group of people with or without any special training in the off-road vehicle law or the techniques of dealing with the public on enforcement matters. Under this bill these people can stop any person driving an off-road vehicle, demand to see the permit and may arrest the person without warrant if they have reasonable and probable belief or grounds to think he has committed a contravention of the requirement to stop and identify himself.

While I believe the law must be enforced if irresponsible operators are to be controlled, I think there is a danger that the powers to stop and arrest may be abused. I think their use by peace officers as defined should be carefully monitored and those who are designated as peace officers should receive special training in the exercise of their duties under the act.

I urge the minister to take these concerns into

consideration and bring in some amendments in committee to meet some of the concerns that have been expressed. These are not only my concerns, but a considerable number of people and groups affected by the legislation share them and some of them have drawn their concerns to the attention of the members of the Legislature. I hope the minister will consider their concerns.

Mr. Eakins: Mr. Speaker, I would like to make some comments. I realize the time is very short, but it is a very important bill. I want to commend the minister for bringing in Bill 61. I certainly intend to support it, but I do have a couple of questions I would like to ask the minister.

As members know, the importance of this legislation was brought home, certainly to me and to many other people across this province, by the tragic accident and resulting deaths of two young people on May 15, 1983. There is certainly a need for this legislation because of the growing interest in the sport, especially by the many people in cottage country where these types of vehicles are being operated more and more each year.

It is from personal experience that I want to make some comment about this bill. The main concern I have is the age for the operation of such a vehicle. While there is an age here for ownership, etc., it seems to me in reading it that I do not see where there is any particular age for the operation of a vehicle. I think this is unfortunate, because there are many people much too young to be operating these vehicles whom I see operating them at present. They are hardly tall enough to reach the pedals, the handlebars or the steering wheel, and yet they are running up and down the country roads. I think many times we have to protect these children, in a sense, from their parents because if they are not going to show restraint on the young people operating these vehicles, something should be brought forth in legislation.

The Deputy Speaker: I draw the member's attention to the clock. Perhaps he would put a motion to adjourn the debate.

On motion by Mr. Eakins, the debate was adjourned.

The House recessed at 6:01 p.m.

APPENDIX
ALPHABETICAL LIST OF MEMBERS*
 (124 members)

Third Session of the 32nd Parliament

Lieutenant Governor: Hon. J. B. Aird, OC, QC

Speaker: Hon. John M. Turner

Clerk of the House: Roderick Lewis, QC

-
- | | |
|--|---|
| <p>Allen, R. (Hamilton West NDP)</p> <p>Andrewes, Hon. P. W., Minister of Energy (Lincoln PC)</p> <p>Ashe, Hon. G. L., Minister of Government Services (Durham West PC)</p> <p>Baetz, Hon. R. C., Minister of Tourism and Recreation (Ottawa West PC)</p> <p>Barlow, W. W. (Cambridge PC)</p> <p>Bennett, Hon. C. F., Minister of Municipal Affairs and Housing (Ottawa South PC)</p> <p>Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)</p> <p>Birch, M., (Scarborough East PC)</p> <p>Boudria, D. (Prescott-Russell L)</p> <p>Bradley, J. J. (St. Catharines L)</p> <p>Brandt, Hon. A. S., Minister of the Environment (Sarnia PC)</p> <p>Breaugh, M. J. (Oshawa NDP)</p> <p>Breithaupt, J. R. (Kitchener L)</p> <p>Bryden, M. H. (Beaches-Woodbine NDP)</p> <p>Cassidy, M. (Ottawa Centre NDP)</p> <p>Charlton, B. A. (Hamilton Mountain NDP)</p> <p>Conway, S. G. (Renfrew North L)</p> <p>Cooke, D. S. (Windsor-Riverside NDP)</p> <p>Copps, S. M. (Hamilton Centre L)</p> <p>Cousens, D., Deputy Chairman of Committees of the Whole House (York Centre PC)</p> <p>Cunningham, E. G. (Wentworth North L)</p> <p>Cureatz, S. L., (Durham East PC)</p> <p>Davis, Hon. W. G., Premier (Brampton PC)</p> <p>Dean, Hon. G. H., Minister without Portfolio (Wentworth PC)</p> <p>Di Santo, O. (Downsview NDP)</p> <p>Drea, Hon. F., Minister of Community and Social Services (Scarborough Centre PC)</p> <p>Eakins, J. F. (Victoria-Haliburton L)</p> <p>Eaton, Hon. R. G., Minister without Portfolio (Middlesex PC)</p> <p>Edighoffer, H. A. (Perth L)</p> <p>Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)</p> <p>Elston, M. J. (Huron-Bruce L)</p> <p>Epp, H. A. (Waterloo North L)</p> <p>Eves, E. L. (Parry Sound PC)</p> <p>Fish, Hon. S. A., Minister of Citizenship and Culture (St. George PC)</p> | <p>Foulds, J. F. (Port Arthur NDP)</p> <p>Gillies, P. A. (Brantford PC)</p> <p>Gordon, J. K. (Sudbury PC)</p> <p>Grande, T. (Oakwood NDP)</p> <p>Gregory, Hon. M. E. C., Minister of Revenue (Mississauga East PC)</p> <p>Grossman, Hon. L. S., Treasurer of Ontario and Minister of Economics (St. Andrew-St. Patrick PC)</p> <p>Haggerty, R. (Erie L)</p> <p>Harris, M. D. (Nipissing PC)</p> <p>Havrot, E. M. (Timiskaming PC)</p> <p>Henderson, L. C., (Lambton PC)</p> <p>Hennessy, M. (Fort William PC)</p> <p>Hodgson, W. (York North PC)</p> <p>Johnson, J. M. (Wellington-Dufferin-Peel PC)</p> <p>Johnston, R. F. (Scarborough West NDP)</p> <p>Jones, T., Deputy Speaker and Chairman of the Committees of the Whole House (Mississauga North PC)</p> <p>Kells, M. C. (Humber PC)</p> <p>Kennedy, R. D. (Mississauga South PC)</p> <p>Kerr, G. A. (Burlington South PC)</p> <p>Kerrio, V. G. (Niagara Falls L)</p> <p>Kolyn, A. (Lakeshore PC)</p> <p>Lane, J. G. (Algoma-Manitoulin PC)</p> <p>Laughren, F. (Nickel Belt NDP)</p> <p>Leluk, Hon. N. G., Minister of Correctional Services (York West PC)</p> <p>Lupusella, A. (Dovercourt NDP)</p> <p>Mackenzie, R. W. (Hamilton East NDP)</p> <p>MacQuarrie, R. W. (Carleton East PC)</p> <p>Mancini, R. (Essex South L)</p> <p>Martel, E. W. (Sudbury East NDP)</p> <p>McCaffrey, Hon. R. B., Provincial Secretary for Social Development (Armourdale PC)</p> <p>McCague, Hon. G. R., Chairman, Management Board of Cabinet (Dufferin-Simcoe PC)</p> <p>McClellan, R. A. (Bellwoods NDP)</p> <p>McEwen, J. E. (Frontenac-Addington L)</p> <p>McGuigan, J. F. (Kent-Elgin L)</p> <p>McKessock, R. (Grey L)</p> <p>McLean, A. K. (Simcoe East PC)</p> <p>McMurtry, Hon. R. R., Attorney General (Eglinton PC)</p> <p>McNeil, R. K. (Elgin PC)</p> |
|--|---|

Miller, Hon. F. S., Minister of Industry and Trade (Muskoka PC)
Miller, G. I. (Haldimand-Norfolk L)
Mitchell, R. C. (Carleton PC)
Newman, B. (Windsor-Walkerville L)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, Hon. K. C., Minister of Health (Kingston and the Islands PC)
O'Neil, H. P. (Quinte L)
Peterson, D. R. (London Centre L)
Philip, E. T. (Etobicoke NDP)
Piché, R. L. (Cochrane North PC)
Pollock, J. (Hastings-Peterborough PC)
Pope, Hon. A. W., Minister of Natural Resources (Cochrane South PC)
Rae, R. K. (York South)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
Reed, J. A. (Halton-Burlington L)
Reid, T. P. (Rainy River L-Lab.)
Renwick, J. A. (Riverdale NDP)
Riddell, J. K. (Huron-Middlesex L)
Robinson, A. M. (Scarborough-Ellesmere PC)
Rotenberg, D. (Wilson Heights PC)
Roy, A. J. (Ottawa East L)
Runciman, R. W. (Leeds PC)
Ruprecht, T. (Parkdale L)
Ruston, R. F. (Essex North L)
Samis, G. R. (Cornwall NDP)
Sargent, E. C. (Grey-Bruce L)
Scrivener, M. (St. David PC)
Sheppard, H. N. (Northumberland PC)
Shymko, Y. R. (High Park-Swansea PC)
Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
Spensieri, M. A. (Yorkview L)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
Sterling, Hon. N. W., Provincial Secretary for Resources Development (Carleton-Grenville PC)
Stevenson, K. R. (Durham-York PC)
Stokes, J. E. (Lake Nipigon NDP)
Swart, M. L. (Welland-Thorold NDP)
Sweeney, J. (Kitchener-Wilmot L)
Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)
Taylor, J. A. (Prince Edward-Lennox PC)
Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
Treleaven, R. L. (Oxford PC)
Turner, Hon. J. M., Speaker (Peterborough PC)
Van Horne, R. G. (London North L)

Walker, Hon. G. W., Provincial Secretary for Justice (London South PC)
Watson, A. N. (Chatham-Kent PC)
Welch, Hon. R. S., Deputy Premier and Minister responsible for Women's Issues (Brock PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wildman, B. (Algoma NDP)
Williams, J. R. (Orillia PC)
Wiseman, D. J., (Lanark PC)
Worton, H. (Wellington South L)
Wrye, W. M. (Windsor-Sandwich L)
Yakabuski, P. J. (Renfrew South PC)

MEMBERS OF THE EXECUTIVE COUNCIL

Davis, Hon. W. G., Premier and President of the Council
Welch, Hon. R. S., Deputy Premier and Minister responsible for Women's Issues
Wells, Hon. T. L., Minister of Intergovernmental Affairs
Bernier, Hon. L., Minister of Northern Affairs
Snow, Hon. J. W., Minister of Transportation and Communications
Bennett, Hon. C. F., Minister of Municipal Affairs and Housing
Miller, Hon. F. S., Minister of Industry and Trade
Timbrell, Hon. D. R., Minister of Agriculture and Food
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities
McMurtry, Hon. R. R., Attorney General
Norton, Hon. K. C., Minister of Health
Drea, Hon. F., Minister of Community and Social Services
Grossman, Hon. L., Treasurer of Ontario and Minister of Economics
McCague, Hon. G., Chairman of Management Board of Cabinet and Chairman of Cabinet
Baetz, Hon. R. C., Minister of Tourism and Recreation
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations
Walker, Hon. G. W., Provincial Secretary for Justice
Gregory, Hon. M. E. C., Minister of Revenue
Pope, Hon. A. W., Minister of Natural Resources
Leluk, Hon. N. G., Minister of Correctional Services
Ashe, Hon. G. L., Minister of Government Services
Ramsay, Hon. R. H., Minister of Labour
McCaffrey, Hon. R. B., Provincial Secretary for Social Development

Sterling, Hon. N. W., Provincial Secretary for Resources Development
 Taylor, Hon. G. W., Solicitor General
 Eaton, Hon. R. G., Minister without Portfolio
 Andrewes, Hon. P. W., Minister of Energy
 Brandt, Hon. A. S., Minister of the Environment
 Dean, Hon. G. H., Minister without Portfolio
 Fish, Hon. S. A., Minister of Citizenship and Culture

PARLIAMENTARY ASSISTANTS

Birch, M. (Scarborough East), assistant to the Premier
 Cureatz, S. L. (Durham East), assistant to the Solicitor General
 Eves, E. L. (Parry Sound), assistant to the Minister of Education and the Minister of Colleges and Universities
 Gillies, P. A. (Brantford), assistant to the Minister of Labour
 Gordon, J. K. (Sudbury), assistant to the Minister of Community and Social Services
 Harris, M. D. (Nipissing), assistant to the Minister of the Environment
 Hennessy, M. (Fort William), assistant to the Minister of Northern Affairs
 Hodgson, W. (York North), assistant to the Minister of Government Services
 Kells, M. C. (Humber), assistant to the Minister of Transportation and Communications
 Kennedy, R. D. (Mississauga South), assistant to the Minister of Intergovernmental Affairs
 Lane, J. G. (Algoma-Manitoulin), assistant to the Minister of Tourism and Recreation
 MacQuarrie, R. W. (Carleton East), assistant to the Attorney General
 McNeil, R. K. (Elgin), assistant to the Minister of Agriculture and Food
 Mitchell, R. C. (Carleton), assistant to the Minister of Health
 Piché, R. L. (Cochrane North), assistant to the Minister of Revenue
 Robinson, A. M. (Scarborough-Ellesmere), assistant to the Minister of Citizenship and Culture
 Rotenberg, D. (Wilson Heights), assistant to the Minister of Municipal Affairs and Housing
 Shymko, Y. R. (High Park-Swansea), assistant to the Provincial Secretary for Social Development
 Stevenson, K. R. (Durham-York), assistant to the Treasurer of Ontario and Minister of Economics
 Taylor, J. A. (Prince Edward-Lennox), assistant to the Minister of Industry and Trade
 Watson, A. N. (Chatham-Kent), assistant to the Minister of Energy

Williams, J. R. (Orillia), assistant to the Minister of Consumer and Commercial Relations
 Yakabuski, P. J. (Renfrew South), assistant to the Minister of Natural Resources

STANDING COMMITTEES

Administration of justice: chairman, Mr. Kolyn; vice-chairman, Mr. Mitchell; members, Messrs. Breithaupt, Elston, Eves, Gillies, MacQuarrie, Renwick, Spensieri, Stevenson, Swart and J. A. Taylor; clerk, D. Arnott.

General government: chairman, Mr. McLean; vice-chairman, Mr. Harris; members, Messrs. Cooke, Eakins, Gordon, Haggerty, Henderson, Hennessy, Kennedy, McKessock, Samis and Sheppard; clerk, F. Carrozza.

Resources development: chairman, Mr. Barlow; vice-chairman, Mr. Williams; members, Messrs. Lane, Laughren, McLean, Piché, J. A. Reed, Riddell, Stokes, Sweeney, Watson and Wiseman; clerk, A. Richardson.

Social development: chairman, Mr. Robinson; vice-chairman, Mr. Sheppard; members, Mr. Allen, Mrs. Birch, Ms. Copps, Messrs. R. F. Johnston, Kells, McGuigan, McNeil, Pollock, Shymko and Wrye; clerk, L. Mellor.

Members' services: chairman, Mr. Shymko; vice-chairman, Mr. Havrot; members, Messrs. Charlton, Grande, Hodgson, J. M. Johnson, G. I. Miller, Rotenberg, Runciman, Ruprecht, Wrye and Yakabuski; clerk, L. Mellor.

Procedural affairs: chairman, Mr. Treleaven; members, Messrs. Breauth, Cassidy, Cureatz, Edighoffer, Epp, J. M. Johnson, Mancini, McNeil, Rotenberg, Runciman and Watson; clerk, S. Forsyth.

Public accounts: chairman, Mr. T. P. Reid; vice-chairman, Mr. Harris; members, Messrs. Bradley, Cunningham, Kennedy, Kolyn, Philip, T. P. Reid, Robinson, Sargent, Mrs. Scrivener, Messrs. Wildman and Yakabuski; clerk, G. White.

Regulations and other statutory instruments: chairman, Mr. Kerr; vice-chairman, Mr. Hodgson; members, Ms. Bryden, Messrs. Cousins, Di Santo, Hennessy, Kerrio, McEwen, Piché, Pollock, Van Horne and Williams; clerk, L. Mellor.

SELECT COMMITTEE

Ombudsman: chairman, Mr. Runciman; vice-chairman, Mr. Van Horne; members, Messrs. Breithaupt, Di Santo, Eakins, Hennessy, Hodgson, MacQuarrie, Mitchell, Philip, Piché, and Shymko; clerk, G. White.

*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month and in the first and last issues of each session.

CONTENTS

Tuesday, October 11, 1983

Statements by the ministry

Andrewes, Hon. P. W., Minister of Energy:	
Ministry of Energy report.	1970
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:	
Trust companies.	1971
Grossman, Hon. L. S., Treasurer and Minister of Economics:	
Treasury's fall agenda.	1968
McCaffrey, Hon. B., Provincial Secretary for Social Development:	
Funding for seniors.	1973
Snow, Hon. J. W., Minister of Transportation and Communications:	
Urban Transportation Development Corp. contract.	1968

Oral questions

Andrewes, Hon. P. W., Minister of Energy:	
Hydro reactors , Mr. Peterson, Mr. Rae, Mr. Kerrio.	1976
Hydro planning , Mr. Rae, Mr. Peterson.	1979
Fish, Hon. S. A., Minister of Citizenship and Culture:	
TV Ontario coverage , Mr. Sheppard, Mr. O'Neil.	1983
Grossman, Hon. L. S., Treasurer and Minister of Economics:	
Youth unemployment , Mr. Peterson, Mr. Rae.	1974
Welch, Hon. R. S., Deputy Premier and Minister responsible for Women's Issues:	
Equal pay for work of equal value , Ms. Copps, Mr. Wrye, Ms. Bryden.	1981
Wells, Hon. T. L., Minister of Intergovernmental Affairs/Acting Minister of Health:	
French language rights , Mr. Rae, Mr. Peterson.	1977
Inspection of nursing homes , Mr. Rae, Ms. Copps.	1982

Petitions

Inflation restraint legislation , Mr. Newman, Mr. Breithaupt, Mr. J. A. Reed, Mr. Epp, Mr. Edighoffer, Mr. Riddell, Mr. Eakins, Mr. Wrye, Mr. G. I. Miller, Mr. Worton, Mr. Conway, Mr. McGuigan, Mr. Ruston, Mr. Mancini, Mr. Nixon, Mr. Van Horne, Mr. Wildman, Mr. Di Santo, Mr. Samis, Mr. Charlton, Mr. Philip, Mr. Laughren, Mr. Foulds, Mr. Mackenzie, Mr. J. M. Johnson, Mr. Martel, Mr. Bradley, tabled.	1984
--	------

Reports

Standing committee on regulations and other statutory instruments , Mr. Hodgson, tabled.	1988
Standing committee on social development , Mr. Robinson, tabled.	1988
Standing committee on general government , Mr. Harris, tabled.	1988

Motions

Order of estimates , Mr. Wells, agreed to.	1988
Estimates , Mr. Wells, agreed to.	1988
Orders for concurrence , Mr. Wells, agreed to.	1988
Standing committees , Mr. Wells, agreed to.	1989

First readings

New Horizons Day Centre Incorporated Act , Bill Pr38, Mr. Cousens, agreed to.	1989
Crop Insurance Amendment Act (Ontario) , Bill 85, Mr. Timbrell, agreed to.	1989
Township of Mattice-Val Cote Act , Bill Pr39, Mr. Piché, agreed to.	1990
Regional and Metropolitan Municipalities Amendment Act , Bill 86, Mr. G. W. Taylor, agreed to.	1990
Police Amendment Act , Bill 87, Mr. G. W. Taylor, agreed to.	1990
City of Toronto Act , Bill Pr12, Mr. Shymko, agreed to.	1990
Brockville YMCA/YWCA Act , Bill Pr32, Mr. Runciman, agreed to.	1990
City of Guelph Act , Bill Pr28, Mr. Worton, agreed to.	1990
City of Hamilton Act , Bill Pr41, Mr. Charlton, agreed to.	1990
Human Tissue Gift Amendment Act , Bill 88, Mr. Van Horne, agreed to.	1990

Private member's motion

Motion to set aside ordinary business , Mr. Di Santo, Mr. Kerrio, Mr. Andrewes, negatived. .	1991
---	------

Second reading

Off-Road Vehicles Act , Bill 61, Mr. Snow, Mr. J. A. Reed, Mr. Samis, Mr. Boudria, Ms. Bryden, Mr. Eakins, adjourned.	1993
--	------

Other business

Death of member for Stormont, Dundas and Glengarry , Mr. Welch, Mr. Peterson, Mr. Rae. .	1965
Death of Clare Mapledoram , Mr. Bernier.	1967
Supplementary estimates , Mr. McCague.	1967
Resignation of Deputy Speaker , Mr. Wells.	1967
Appointment to Board of Internal Economy , Mr. Speaker.	1968
Legislative pages , Mr. Speaker.	1968
Answers to questions in orders and notices , Mr. Wells.	1993
Recess	1999

Appendix

Alphabetical list of members of the Legislature of Ontario, members of the executive council, parliamentary assistants and members of committees.	2000
---	------

SPEAKERS IN THIS ISSUE

Andrewes, Hon. P. W., Minister of Energy (Lincoln PC)
Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)
Boudria, D. (Prescott-Russell L)
Bradley, J. J. (St. Catharines L)
Breithaupt, J. R. (Kitchener L)
Bryden, M. H. (Beaches-Woodbine NDP)
Charlton, B. A. (Hamilton Mountain NDP)
Conway, S. G. (Renfrew North L)
Copps, S. M. (Hamilton Centre L)
Di Santo, O. (Downsview NDP)
Eakins, J. F. (Victoria-Haliburton L)
Edighoffer, H. A. (Perth L)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Epp, H. A. (Waterloo North L)
Fish, Hon. S. A., Minister of Citizenship and Culture (St. George PC)
Foulds, J. F. (Port Arthur NDP)
Grossman, Hon. L. S., Treasurer and Minister of Economics (St. Andrew-St. Patrick PC)
Johnson, J. M. (Wellington-Dufferin-Peel PC)
Jones, T., Deputy Speaker and Chairman (Mississauga North PC)
Kerrio, V. G. (Niagara Falls L)
Laughren, F. (Nickel Belt NDP)
Mackenzie, R. W. (Hamilton East NDP)
Martel, E. W. (Sudbury East NDP)
McCaffrey, Hon. R. B., Provincial Secretary for Social Development (Armourdale PC)
McCague, Hon. G. R., Chairman, Management Board of Cabinet (Dufferin-Simcoe PC)
McGuigan, J. F. (Kent-Elgin L)
Miller, G. I. (Haldimand-Norfolk L)
Newman, B. (Windsor-Walkerville L)
Nixon, R. F. (Brant-Oxford-Norfolk L)
O'Neil, H. P. (Quinte L)
Peterson, D. R. (London Centre L)
Philip, E. T. (Etobicoke NDP)
Rae, R. K. (York South NDP)
Reed, J. A. (Halton-Burlington L)
Riddell, J. K. (Huron-Middlesex L)
Samis, G. R. (Cornwall NDP)
Sheppard, H. N. (Northumberland PC)
Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)
Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
Turner, Hon. J. M., Speaker (Peterborough PC)
Van Horne, R. G. (London North L)
Welch, Hon. R. S., Deputy Premier, Minister responsible for Women's Issues and Minister of Energy (Brock PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wildman, B. (Algoma NDP)
Wrye, W. M. (Windsor-Sandwich L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Tuesday, October 11, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

Published by the Legislature of the Province of Ontario.
Editor of Debates: Peter Brannan.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, October 11, 1983

The House resumed at 8 p.m.
House in committee of the whole.

MINISTRY OF COLLEGES AND UNIVERSITIES AMENDMENT ACT

Consideration of Bill 42, An Act to amend the Ministry of Colleges and Universities Act.

On section 1:

Mr. Chairman: Mr. Conway moves that subsections 13(5) and 13(6) of the act, as contained in section 1 of this bill, be struck.

Mr. Conway: Mr. Chairman, might I take this opportunity, since it is my first opportunity, to extend my personal best wishes to you in your new capacities as our Deputy Speaker. All of us, I am sure, on both sides of the House wish you well. You have begun your new duties auspiciously, set out in such sartorial splendour as you have appeared in here today.

Mr. Nixon: He has even got the right cufflinks.

Mr. Conway: My friend the member for Brant-Oxford-Norfolk notes your cufflinks, and you seem to wear them with the style they certainly deserve.

Mr. Nixon: It warms the cockles of Roderick Lewis's heart.

Interjections.

Mr. Conway: My friend the member for York North (Mr. Hodgson) has interjected in a hopeful tone. I know the member for York North is always hopeful when it comes to the Speakership at this place. Do not despair, Bill. Hope springs eternal.

I want to talk to the amendment, which deals with subsections 13(5) and 13(6) of the bill. It deals with an extremely important part of Bill 42. In dealing with this subject, I want to review some of the background that has led us to this juncture this evening.

I was reminding myself as I read through the Hansard of what is now five weeks ago that when the Minister of Education and Minister of Colleges and Universities (Miss Stephenson) and I last met to discuss this particular legislation, it was downstairs in committee room 1, I believe. From a read of Hansard, it looks to have been a fairly spirited exchange towards the end.

Mr. Nixon: The irresistible force and the immovable mass.

Hon. Miss Stephenson: It was unworthy of the member.

Mr. Conway: Well, it may have been. It may be that on occasions like that I am lured into unworthiness. If it were unworthy, then an apology is in order.

Mr. Nixon: The minister provoked him. She said his arguments were gossamer.

Mr. Conway: The member for York Mills (Miss Stephenson) does have a provocative capacity the like of which I do not believe is equalled in this place.

In this particular connection, I think we have before us an extremely serious issue that deals with an extremely important and timely part of the provincial jurisdiction, namely, universities.

I must say to the minister, by way of digression, that I happened with her colleague the member for Carleton (Mr. Mitchell) and my colleague the member for Ottawa East (Mr. Roy) to have spent last Wednesday evening in the nation's capital with, among others, Reverend Roger Guindon, rector of Ottawa University, and Dr. William Beckel, president of Carleton University, as part of a discussion about high technology and the university community in that part of the province.

Because I promised Father Guindon I would do so, I will now indicate something to the minister. He spoke at some considerable length that evening to the assembled gathering and he wanted it to be reported to the minister that not once in his remarks did he talk about money. I must say to the minister that he did so with great aplomb and greater effect. He was very anxious that his friend the Minister of Colleges and Universities know that during the course of 20 minutes he did not once refer to the cash register, to provincial grants or to money of any other kind.

I hope, Father Guindon, if you should be reading these words a few days from now that you will note the minister's silent smile, as I can report it you across this aisle this evening.

Last week was National Universities Week in Canada, and I had—as I know did other mem-

bers from all three parties—the opportunity to join with many in the university community to look at their current state of activity, their challenges, their opportunities and their difficulties. I was myself privileged to visit the University of Waterloo, Wilfrid Laurier University, the University of Toronto and Queen's in the course of a short survey of southern Ontario institutions.

I am sure my honourable friend from Sudbury spent a good part of his week at Laurentian in his home town. What I must say concerns me this evening is to find that we are beginning this fall session with a discussion of Bill 42. It is one of the first items on our legislative agenda. It would certainly seem to those of us who have followed this debate that the minister has an extreme interest in the quick passage of this particular legislation.

When I was rereading the Instant Hansard of September 9, I was particularly struck by the sweet reasonableness of my esteemed colleague the member for Hamilton West (Mr. Allen), who, the minister will recall, put forward a motion on that occasion to the effect that this committee adjourn for one month and resume its consideration of this Bill 42 shortly after the resumption of the Legislature in order to give the minister time to consider carefully the evidence that has been brought to us by a variety of witnesses who have highlighted the extremely serious long-term implications of putting the supervisor of the university system in place under any circumstances as a normal part of the university legislation of this province.

8:10 p.m.

The member for Hamilton West acted very responsibly in moving this kind of a hoist motion. Many of my colleagues were not on the standing committee on social development on that occasion. I would note for their benefit there was a sense in the committee that some members of the government—I think particularly of the members for Humber (Mr. Kells) and Durham East (Mr. Cureatz)—were beginning to realize that Bill 42, as it has been written, is more than required to meet the government's stated objectives.

It may be entirely necessary to meet this minister's private agenda. It is difficult for those of us who are not able to walk in the recesses of this minister's mind to understand what that private agenda might be.

Mr. Nixon: What is it, Bette?

Hon. Miss Stephenson: That is a gross misstatement.

Mr. Conway: The minister says that is a gross misstatement.

Hon. Miss Stephenson: You have no rights—

Mr. Conway: My rights are going to be determined by the chairman of this committee.

But lest the minister did not hear what I just said, in my view many felt the bill was more than needed to meet the government's stated objectives. This was my view by Friday, September 9, 1983, on the basis of three days of excellent testimony from a range of very fine people and delegations. They included Dr. Alvin Lee, chairman of the Council of Ontario Universities, who made an excellent submission; the York University delegation, headed by president Dr. H. Ian Macdonald; the Ontario Confederation of University Faculty Associations group, headed by Dr. Bill Jones; the University of Toronto Faculty Association, and the Brock group, to name but five. Also, there was Dr. Burton C. Matthews, then chairman of the Ontario Council of University Affairs and now president-elect of the University of Guelph.

Mr. Nixon: Another fine, independent spokesman.

Mr. Conway: The member for Brant-Oxford-Norfolk properly, or otherwise, highlights the independence of Dr. Matthews. I felt he made a very helpful submission to the committee—more helpful perhaps than even he himself imagined at the time.

But it was my feeling by the end of that week, by Friday morning, September 9, that some members of the government party, to their credit, were beginning to realize, on the basis of the evidence offered, Bill 42 was much more than the Ontario government required to meet its publicly stated agenda. It may not have been adequate to meet this minister's private agenda. But, as I said earlier, that is difficult to determine for those of us who do not have the opportunity to walk in the recesses of this minister's mind.

In suggesting the hoist motion, the member for Hamilton gave this minister a useful opportunity to draw back and to think about what had been suggested by the range of witnesses. I regret very much that the minister has not found it within her ability to reflect upon the evidence tendered in that week-long hearing and scale down this bill accordingly. Quite frankly, my amendment seeks to curtail the powers of the supervisor in this legislation.

For those members who do not perhaps understand what Bill—

Hon. Miss Stephenson: You are eliminating the supervisor.

Mr. Conway: No. With all due respect, as we say in this place, I am not eliminating the supervisor. For the minister's benefit, I want to review what my amendment seeks to do.

This bill, An Act to amend the Ministry of Colleges and Universities Act, does two basic things. It seeks to improve the government's monitoring of the financial affairs of the Ontario universities which it funds to a multibillion-dollar level. I think it is fair, upon reflecting over the testimony we had, to say that there was a broad base of support for giving the minister and her government that improved financial monitoring ability. Bill 42 has as its first ambition, its first intention, the improvement of the financial monitoring and the financial reporting of our Ontario universities.

The bill then goes on to deal with the problem of deficits, and the provision is very clear that the bill seeks to give the government control over university deficits about which it has had some concern in recent years. For those who have not had the chance to read the bill, subsection 11(2) of Bill 42 says: "No university shall incur in any fiscal year a cumulative deficit in its operating fund that is in excess of two per cent of its operating revenue for the year."

This bill goes on to deal with a set of circumstances whereby a given institution might, in fact, contravene that two per cent deficit rule. Subsection 12(1) of the bill states: "Where the Lieutenant Governor in Council, having regard to a financial report referred to in subsection 11(3) and any other financial information that may be available, is of the opinion that a university is in contravention of subsection 11(2), he may appoint an investigator for the university to investigate and report on the financial situation of the university."

It is fair to say, on the basis of the testimony and evidence of the witnesses and of the members of the assembly serving on that committee, there was a broad base of support for that stage of financial investigation and reporting.

The bill goes on, again with a broad base of support, to say in section 12:

"(2) An investigator may,

"(a) examine and audit all the books, accounts and records of the university; and

"(b) investigate and require financial information from any person in possession of infor-

mation in respect of the university at any time, but only for the purpose of this part.

"(3) No person shall obstruct an investigator or withhold or destroy, conceal or refuse to furnish any information or thing required by the investigator for the purposes of the investigation.

"(4) The minister shall cause a copy of the report of an investigation to be delivered to the chairman of the governing body of the university."

Quite frankly, I and my colleagues feel this government or any other government has that right. On the basis of its very significant financial commitments to the universities involved, we feel that government ought to have that kind of right in terms of financial information and monitoring. It goes on beyond the investigator stage to the university supervisor. In section 13 of this bill the powers of the university supervisor are outlined.

"(1) The Lieutenant Governor in Council may appoint a university supervisor for a university where, having regard to the content of the report of an investigation under section 12, the Lieutenant Governor in Council is of the opinion that the university is in contravention" of the two per cent rule that I spoke of earlier.

"(2) The appointment of a university supervisor is valid until terminated by order of the Lieutenant Governor in Council.

"(3) A university supervisor appointed for a university shall give advice and guidance to the governing body and the chief executive officer of the university for the purpose of improving the financial situation of the university.

"(4) It is the duty of the governing body and the chief executive officer of a university to receive and consider the advice and guidance of a university supervisor appointed for the university."

Our amendment will leave standing those first four sections where the university supervisor is concerned. We are prepared to give this government the opportunity, after an investigation has satisfied those involved that there is a contravention of the two per cent rule, once that information is reliably obtained, to have a supervisor appointed for those purposes as set out in the first four subsections of section 13.

8:20 p.m.

It is not true to suggest that it is the intention of this amendment to eliminate the university supervisor. What this amendment seeks to do is eliminate the next two subsections of Bill 42 as they relate to the functions and the powers of a university supervisor.

You might ask what are those powers that we

wish to delete as set out in subsections 13(5) and 13(6). This is extremely important, and it is certainly seen as such by many people in the community at large and within the university circle particularly.

Subsection 13(5) states: "Where a university supervisor appointed for a university requests in writing that the governing body or the chief executive officer do any act that they have authority to do and, in the opinion of the university supervisor, they fail to do so, the university supervisor may do the act on behalf of the governing body or the chief executive officer and the act is as effective as if done by the governing body or the chief executive officer, as the case may be."

Subsection 13(6) states: "During the term of office of a university supervisor appointed for a university, no act of the governing body is valid unless approved in writing by the university supervisor."

Mr. Nixon: Do not say the Legislature has no power.

Mr. Conway: A pointed and I think a very relevant intervention by my friend the member for Brant-Oxford-Norfolk,

That is what we seek to eliminate with our particular amendment. We do not seek to eliminate the university supervisor, but we do seek to define much more tightly and closely restrict his ambit of authority. We think, and we have stated so repeatedly, the minister has not made a case for that kind of sweeping intervention.

We do not think, with all due respect, that she or the government has yet established in public, with public data relevant to Ontario in 1982 or 1983, why they ought to have established in legislation powers to give the provincial government effective trusteeship through a university supervisor in so far as the financial management of the university is concerned.

Hon. Miss Stephenson: No, that is not true.

Mr. Nixon: Not trusteeship? They cannot do anything without your approval.

Hon. Miss Stephenson: Oh, yes, they can.

Mr. Conway: In terms of financial affairs, in terms of financial administration, I think—

Hon. Miss Stephenson: The supervisor is bound by all the legislation that the board would be bound by.

Mr. Nixon: We would not expect a supervisor to act illegally.

Mr. Conway: It certainly is my view and the view of a number of people that this particular

section of this particular bill gives the executive council of the province, the Minister of Colleges and Universities—

Mr. Nixon: The minister.

Hon. Miss Stephenson: Just you wait.

Mr. Van Horne: The caviar kid.

Mr. Conway: I think I just heard the minister say to my friend from Brant-Oxford-Norfolk, "Just you wait." I think that is exactly the truth of the situation. Our beloved minister, in all her Thatcherite charm and splendour, is not one to carve out a big club and to leave it nicely on a shelf to gather dust.

Mr. Nixon: Just like black and white.

Mr. Conway: I think this Minister of Colleges and Universities meant exactly what she just said to my friend from Brant-Oxford-Norfolk, "Just you wait."

Mr. Nixon: Off with his head.

Mr. Riddell: Sneak up on him like a plate full of prunes.

Hon. Miss Stephenson: The member for Renfrew North needs to mature, Mr. Chairman. He is an infant. It is time he grew up.

Interjections.

Mr. Chairman: Could we get back to the amendment?

Mr. Conway: Might I repeat, I think this particular minister has every intention of using the big club that is given to her in this particular section of the legislation, rather quickly and rather privately—I should say very privately; I think she would be loath to do too much of this publicly. But I do not believe there is yet a case for the general power of financial trusteeship that this section of the bill visits upon the Minister of Colleges and Universities.

What was most dispiriting about our experience in the social development committee of a month ago was that there was, as the week wore on, a basis for compromise. I think my fair-minded friend the member for Brantford (Mr. Gillies) would agree privately, if not otherwise, with the assertion that there was a common understanding that certain improvements could be effected between the universities and the ministry. I for one, and I certainly believe my friend the member for Hamilton West, on his own behalf and on behalf of his colleagues, many of whom attended the hearings, was anxious to accommodate some of the legitimate aspirations of the government in this respect.

Hon. Miss Stephenson: Not the Ontario Confederation of University Faculty Associations.

Mr. Conway: The minister says not the Ontario Confederation of University Faculty Associations. I do not purport to speak for OCUFA, but I can speak for others, and I repeat that a re-examination of the testimony offered at the hearings in early September would leave the reasonable man or woman with the impression—

Interjection.

Mr. Van Horne: Now that you have her undivided attention.

Mr. Conway: I thought the Chairman of Management Board (Mr. McCague) had his work cut out with Hydro, having heard the radio news yesterday.

At any rate, I just want to say that the sad thing for me was that I think the committee hearings were useful and did produce a basis of understanding that could have given the minister a substantial amount of what she had required. But, as you may know, Mr. Chairman, this is a minister who is not anxious to have anything less than the whole loaf. There was going to be no compromise on Bill 42. This was the minister's minimum requirement and she was not going to brook any opposition that would give her anything less.

I think that is unfortunate. She is determined with Bill 42 to take a very vigorous leadership role. She is absolutely determined that in terms of legislation, there is going to be no way anyone out there in university land or in the province beyond can misunderstand what her intentions are with respect to deficits. She is crystal clear on that particular point.

Would that this minister were as clear, as direct and as leadership-oriented on many of the other much more central questions. I repeat that this legislation would be a lot more interesting, perhaps even a little more tolerable, even in those objectionable sections, if the minister had come forward in the last 24 months with a policy framework that would have given Ontario some leadership as to where the universities in this province are going to find themselves in the months and years that lie ahead.

Regretfully, this minister has been loath to take that position when it comes to charting university policy for the 1980s. She is anxious, and more than anxious if this calling of this order on the first day of our return here is an indication, to have this deficit legislation in place.

8:30 p.m.

To repeat from earlier parts of this debate, it has been 25 or 26 months since her current Deputy Minister of Colleges and Universities, Dr. Harry Fisher, and his fellow travellers on the Premier's blue ribbon panel authored a very important report that was delivered up to the first minister of this province, indicating in the summer of 1981 that our universities were at a critical crossroads and that the province, through its cabinet, its Premier and its Minister of Colleges and Universities, had better quickly resolve a growing number of unresolved issues in terms of the universities.

It is true that we have had university deficits in the past four, five or six years. Even in the early 1980s, a couple of years ago, Carleton University in Ottawa made it very clear that it was prepared to run deficits because it had no choice; it could not meet the objectives set for it by the Davis government on the one hand and fund those requirements on the other hand with the levels of operating grants that were being afforded by the same government.

Mr. Nixon: Stuart Smith was right: 10th out of 10.

Hon. Miss Stephenson: That's an unfortunate suggestion.

Mr. Conway: It is interesting, though, that she did not deny the substance—

Mr. Nixon: There was no Vesuvius reaction.

Hon. Miss Stephenson: I am attempting to control my temper in the face of the remarks from this misanthrope from Renfrew North.

Mr. Nixon: I am very glad you are containing yourself.

Mr. Chairman: I think Mr. Conway is about to oblige us by returning to section 1 and to the substance of the amendment.

Interjections.

Mr. Conway: I will be very respectful of your every injunction, Mr. Chairman, but I am likely to be even more so if you endeavour to tame the tigress to your right.

Hon. Miss Stephenson: It will be easier than containing the mouth to his left, I can tell you.

Mr. Conway: All of which is gratefully received, Mr. Chairman.

When the Premier from his perch in Oahu talks about "Let's not be personal," I am likely to remember.

Hon. Miss Stephenson: Oh, really? I hope you remember both sides.

Mr. Conway: Let me say, I have not been able

to look a chicken in the eye since that day a month ago when the minister levelled that exceptional charge about me; and I would not want to repeat it, Mr. Chairman, lest any of these innocent ears be offended.

Let me repeat my point about the deficits.

Hon. Miss Stephenson: Exceptional charge? It wasn't a charge of fabrication; it was a charge of two arguments being presented, that is all.

Mr. Chairman: Order. It certainly would be appreciated if the minister were to restrain herself; and perhaps the member for Renfrew North could stick to the amendment and avoid personalities.

Mr. Conway: It is very difficult, Mr. Chairman.

Mr. Chairman: Do your best.

Mr. Conway: I see some of the minister's staff underneath the gallery over there. As always, they have my not inconsiderable sympathy.

Mr. Nixon: They deserve a raise.

Mr. Conway: That is one group that I think does deserve a raise beyond the five per cent ceiling.

At any rate, we have framed an amendment that seeks to curtail the university supervisor's function to essentially an advisory role. We think that is reasonable on a number of grounds. We think it is reasonable because the minister herself was quick to point out with not inconsiderable pride in her opening statement to the committee on September 6—and I would like to read the minister's words.

Hon. Miss Stephenson: It wasn't pride; it was a statement of fact.

Mr. Conway: Let me retract then that it was a statement offered with some pride. It was a bald, antiseptic fact that she reported to us on September 6:

"For example, according to information compiled by the Ontario Council on University Affairs, all but one of the seven institutions with cumulative deficits in excess of two per cent of their operating revenue for 1981-82 fiscal year are projecting an improved situation by the end of the current fiscal year."

The minister came before us a month ago to report that the deficit situation had happily—from I think all sides—improved. The data produced by her and others certainly supported that contention.

It is certainly also true—and this was stated by some, though not everyone—that the single most significant reason for this was the enactment last fall of Bill 179. As everyone knows, the

largest single component in any university account is the salaries component, and that has been very sharply curtailed by the provisions of Bill 179.

Imagine our surprise when we had the minister appearing before us in September saying that the situation with respect to deficits had improved; it had certainly improved dramatically, as her own compendium indicated even as early as April 1982. Many of the institutions that had previously been in some real difficulty were on their way to relative recovery.

One group of the most troubled institutions, namely, that family of institutions in northeastern Ontario, Laurentian, Algoma, Nipissing and College de Hearst, were and are the subject of a special inquiry headed by our former and honourable colleague the previous member for Oxford, Dr. Harry Parrott.

We have yet to see the findings of the Parrott commission, but none the less they are a group of institutions with some serious difficulties. Looking, for example, at the surplus/deficit statements of April 30, 1982, Laurentian was in a deficit position of about 9.4 per cent, Algoma 13.6 per cent, Nipissing was all right and the College de Hearst had a 19.1 per cent deficit.

Those institutions are being looked at through the Parrott commission, and other institutions are certainly improving their status.

We said to ourselves in that committee, and I say to your colleagues the member for Mississauga East (Mr. Gregory), the member for Parry Sound (Mr. Eves) and the member for Simcoe Centre (Mr. G. Taylor) tonight, Mr. Chairman, that we as a responsible opposition and I as a responsible member of this assembly are quite prepared to entertain reasonable initiatives by the Minister of Colleges and Universities, but we have a great deal of difficulty enacting what is enabling legislation giving this government the general power to put universities in trusteeship as far as their financial management is concerned at the very time when the minister herself and the Ontario Council for University Affairs tell us that the deficit situation is certainly improving.

Furthermore, we have been told by a number of people—and I think I represent the minister fairly in this—that it is her hope the university community now will clearly understand what her intentions are and will not proceed on the kind of basis that Carleton seemed to be preparing for two years ago. There will be no tolerance of deficit as a matter of course. Deficits to two

per cent, yes, but beyond that certainly there will be no acceptance.

We are told by people in the ministry and by the minister herself, I think, that she harbours the hope that this legislation will never really have to be used, and we are told that on the basis of current trends it is not likely to be used.

Prevailing upon the Chairman's conservatism and common sense, why are we being asked in this Legislature to give the government, through this minister, sweeping powers of intervention for a problem that apparently is disappearing?

8:40 p.m.

I have said, and I think I fairly represent my colleague the member for Hamilton West, that we do not rule out the possibility that down the road there may be circumstances—we hope not, but there may very well be—at a given institution whereby a significant deficit occurs or, in fact, there is a breakdown of either goodwill or good management, or some coming together of both, and a serious financial problem develops.

Let us imagine even further that there is some kind of recalcitrance at that institution in toeing the government desire with respect to acceptable deficits. It is certainly my view that under those conditions the minister ought to have the power to intervene in the public interest.

But she has not made the case for this sweeping general power in these past weeks and months, and she has indicated, quite to the contrary, that the conditions are improving as opposed to deteriorating. As a member of this House, I do not like being prevailed upon to legislate in that fashion.

Some members may recall—I am sure my friend the member for Bellwoods (Mr. McClellan) well remembers—that in June 1981 there was an acknowledged problem at the Toronto East General and Orthopaedic Hospital, with a royal commission report indicating a breakdown of administration or whatever; I cannot recall the specifics at this occasion. There was a problem at the Toronto East General; I do not deny that.

Hon. Miss Stephenson: It was quality of care.

Mr. Conway: Quality of care; fine. There was a problem at that institution. I do not think there was a member in this House who did not agree with the then Minister of Health, the member for Don Mills (Mr. Timbrell), that something ought to be done. But one can imagine our unhappiness, certainly my frustration and anger, when we got a general amendment to the Public

Hospitals Act allowing for a general intervention there or at any of the other 250-odd public general hospitals in the name of a particular problem at that specific institution. I think that is a very bad way for this assembly to legislate.

I was particularly struck by the comments this afternoon of the member for St. Andrew-St. Patrick (Mr. Grossman), the new Treasurer, when he expressed a concern and a sensitivity in his economic survey about the need to consult and the need to be sensitive in dealing with our institutions. That is an extremely noble goal for governments, which I am sure is highly respected in Scarborough-Ellesmere. But when push comes to shove, this government seems to take a decidedly different, if not altogether contradictory course.

As we saw in 1981 a specific hospital problem addressed with a general amendment to the Public Hospitals Act, and no reason ever given why the general enabling power had to be effective at that time, we now see the same situation in this case.

The evidence tendered at our hearings in early September confirmed in me, I must admit, an already active prejudice that the powers of this legislation ought to be very limited. And I must tell the minister, because she might be sitting there wondering why we are taking this opportunity tonight to express this concern, that we as a caucus of 33 members have large, historic universities in our constituencies. Why, I might even digress to tell the minister and others that I have seated beside me an honorary doctor from McMaster University in the person of the member for Brant-Oxford-Norfolk (Mr. Nixon).

We have members such as my colleagues the member for Yorkview (Mr. Spensieri), the member for Ottawa East (Mr. Roy), the member for Kitchener (Mr. Breithaupt), the member for Kitchener-Wilmot (Mr. Sweeney), the member for Waterloo North (Mr. Epp), the member for London North (Mr. Van Horne) and the member for London Centre (Mr. Peterson), who have a vital interest in the universities of this province and particularly in those great institutions that are resident in their communities, such as the University of Windsor in the great city of Windsor, serving that part of southwestern Ontario.

The minister ought to know that universities are going to be an issue in this assembly for the coming weeks and months. They are going to be an issue because the 33 members of the Liberal opposition feel that this province has too much

at stake not to have the important, vital issues of the university community debated in this assembly at this time.

I do not suggest for a moment that is somehow an exclusive concern. I cannot help but think that members such as the Conservative representatives from university communities, some of which I have just mentioned, and the many members from the great metropolis of Toronto who might have followed with some interest the tour offered, last Tuesday I believe it was, to that particular campus—

Mr. Nixon: Did they show up?

Mr. Conway: I do not want to embarrass anyone, Mr. Chairman.

I think it is important for you and this minister and this government to understand that universities are going to be a very central question and a very important issue for this party and, I hope, for this assembly this session. What is happening out there ought to concern every single member and every single Ontarian. What is happening is not very positive in many respects and is not very reassuring about the Ontario we are going to have in the 1980s and the 1990s.

I see a very pensive look about the member for High Park-Swansea (Mr. Shymko). I know he will have a keen interest in this, given his background in education and his concern about this area of the social policy field.

In the course of my eight years and some months' service in this assembly, I do not think we have done our universities very much justice in terms of allocating the kind of priority to them that I believe they are entitled to. I accept my share of responsibility in that, although I was pleased that in discussions with the government House leader (Mr. Wells) some months ago, we were at least able to have that short special reference on Bill 42. I think it happened to be a useful exercise.

Many members may think the estimates debate provides all we really require to give a full and complete ventilation to the subject matter. Mr. Chairman, as you know from discharging the chairmanship function which is yours and which you discharge so ably and so well, there is nothing quite like having, for example, the president of McMaster University at one end of the committee table to comment on the offerings of the Minister of Colleges and Universities. I have not seen her that circumspect since Jane Dobell was staring down the other end of the table in the hearings on Bill 127.

At any rate, it is an extremely useful exchange

when we can have people from the affected community, whether they be staff representatives, faculty association groups, university presidents, trustees or just interested people from the province at large. I think it is extremely important, at this time in our history in this province, with the Fisher report still sitting out there as a ticking time bomb, as an incredible indictment on the Davis government's stewardship of post-secondary education.

I remind you, Mr. Chairman, that it was in August 1981 that Harry Fisher et al said: "Listen, people of Ontario. Listen, William Davis and Dr. Bette Stephenson. Listen, members of the Ontario Legislature. You have a multibillion-dollar university system that is in very serious jeopardy and your choices are essentially the following. You can either change the objectives of the university system"—and there was no interest on any side in changing the objectives of our university system—"or failing that, you have a very limited pair of options.

8:50 p.m.

"You can, as a government, Mr. Davis, fund to inflation for at least a five-year period, 1981-82 to 1985-86, and at the same time as you are doing that for that five-year minimal period, you can allocate a \$25-million annual capital replacement fund to deal with the very serious deterioration in physical plant that much of the system is experiencing."

I know my friend the member for Ottawa East can recount, and probably will later this evening or at another time, the weekend rains and their effect on Carleton University in the national capital region. We saw last week at the University of Toronto, and what is more important heard from people in the engineering school about the deleterious effect that underfunding in terms of capital replacement was having on the quality of education they were being able to offer.

The Fisher report said we either fund to inflation for a five-year minimal period and, at the same time as we are doing that, offer an annual \$24-million capital replacement fund or we can face the fiscal reality that people such as the then Treasurer, now the Minister of Industry and Trade (Mr. F. S. Miller), are seemingly wedded to and we can scale the system down. We can admit, as a great and historic province, that this Ontario of ours can no longer afford to fund the system that John Roberts and William Davis and Leslie Frost and a host of others built with pride and with considerable effect and accomplishment.

We can step back in a gesture of self-doubt, if not self-abnegation, and we can admit publicly that we cannot afford the system we have built. "We can," said Harry Fisher et al, "scale the system down by closing out certain institutes, certain faculties and perhaps even certain entire institutions. We can live with one international institution, we can have four full-service universities and we can have a number of other local regional university establishments. We can cut our system, we can cut our cloth to meet a lower fiscal capacity and a generally lower expectation."

They went further, did Harry Fisher, Deputy Minister of Colleges and Universities, et al. They said those were the only two choices and that at all costs Ontario ought not try to muddle through with no policy, with an "Oh, tomorrow" attitude; hoping that the Premier, the Minister of Colleges and Universities and a basketful of time will solve the problem. No less a person than the Deputy Minister of Colleges and Universities, Dr. Harry Fisher, warned the government of Ontario, warned the Premier particularly, because it was the Premier who, presumably animated by his traditional goodwill, set this special blue-ribbon panel on the road to its very important task.

I must say it is my view and the view of many others in the community that Dr. Harry Fisher et al served the Premier of this province very well in that year-long enterprise of theirs. Mr. Chairman, I remind you that the Fisher group said that the worst of all possible options is to do nothing, is to muddle along, to try to let time and political delay deal with the developing crisis.

I have said elsewhere, and I want to repeat it now—because there are sometimes harsh words exchanged between the member for York Mills (Miss Stephenson) and myself—something I said in the committee a month ago in the presence of my colleague the member for St. Catharines (Mr. Bradley). I think this minister deserves no small measure of credit on a number of counts. Of her intellect, of her capacity, of her interest in and ability for hard work there is no doubt. With regard to elementary and secondary education, whatever one might think of the course she has charted for this province, she has charted a course none the less, and I give her credit for setting clearly those signposts for the province in its elementary and secondary education.

I know, parenthetically, that the policy with respect to elementary and secondary education in all respects a wholesale plagiarism of the

education platform of the Ontario Liberal Party, nowhere more spectacularly than in the alteration to grade 13. I am struck daily by a reminder of the prime ministerial pontification of one William Davis in the 1981 election campaign when he went around this province saying: "Oh, those terrible Liberals) They are out to eviscerate grade 13. Well, vote for Harry the local Tory—and of course, through Harry, me—and grade 13 will remain inviolable."

We have seen what we have seen. We have seen a complete reversal. I know that my colleague the member for Kitchener-Wilmot, recovering as he is, must be wondering how much more larceny, in a policy way, will be effected by this government of our elementary and secondary education policy.

But let me say again that I think this minister deserves credit in that respect. She has led. She has been tough; God knows, she has been tough.

Mr. Bradley: And wrong.

Mr. Conway: My friend the member for St. Catharines might argue in his own way, I hope at another time and in another place—like tomorrow in the Education estimates—

Hon. Miss Stephenson: But another time and another place.

Mr. Conway: But I want to say in a truly bipartisan way that I think the member for York Mills deserves credit for having come to a decision on the important issues in those areas and we in the opposition, both on this side of the aisle and over there, can quarrel about the particulars of her direction.

But what has struck me in my time, now some 20 months, as a critic for Colleges and Universities is how difficult a time she is having with the policy vacuum that exists in post-secondary education. She says quietly to herself, "There is no policy vacuum." We have an honest difference of opinion about that.

I would argue that the policy vacuum, which gaps everywhere in this connection at the province, may be simply explained by the fact that even the redoubtable Minister of Colleges and Universities cannot do it all. Maybe she has too much to handle, and I think that would probably be a very plausible explanation.

Of her work capacity I hear these legendary accounts from my Conservative friends across the way, and I know that her hours are long and her duties many. But I have come to think lately that maybe the reason we are getting so little direction with respect to Colleges and Universities

is that she just does not have the time; and to the extent that she has the time, she is so utterly exhausted from the cabinet battles with the Minister of Intergovernmental Affairs (Mr. Wells), the Attorney General (Mr. McMurtry), the Treasurer (Mr. Grossman), the Minister of Citizenship and Culture (Ms. Fish), the member for High Park-Swansea and others on matters of secondary education reform that she just does not have the spirit when the time exists.

It may be that this is a completely wrong assessment.

Mr. Bradley: No, that sounds plausible to me.
Interjection.

Mr. Bradley: No longer the whip, but he still whips.

The Acting Chairman (Mr. Robinson): Let us keep moving along.

9 p.m.

Mr. Conway: My friend the Minister of Revenue (Mr. Gregory) has intervened, and I want to just congratulate him because this is my first chance. I am delighted that after eight and a half years he has a line ministry.

The Acting Chairman: That is generous of you. However, I direct you to turn your remarks to the bill at hand.

Mr. Conway: I want to tell the Acting Chairman that the member solved a really serious problem for me and for that I thank him. He is off to a very good start as far as the member for Renfrew North is concerned. I am very anxious to have an ongoing and positive relationship in that respect.

Interjections.

The Acting Chairman: Ignore it and continue with the bill.

Mr. Conway: I am sensitive about the fact that I might be getting personal. I do not want to upset the orange daiquiri on the lap of the Premier in Oahu because I know that Mr. Hoy is monitoring my every word.

The Acting Chairman: He may well be, I have no way to know.

Mr. Conway: It is not my intention to be personal. It is my intention to be direct.

The Acting Chairman: If you would like to be direct towards the provisions of Bill 42, I think we would likely facilitate the process.

Mr. Conway: Exactly, Mr. Chairman.

Interjection.

Mr. Conway: What did he say?

The Acting Chairman: I said order, and that is all you need.

Mr. Conway: Actually that is the glory of provincial politics and I am fascinated daily; nobody cares.

Interjections.

The Acting Chairman: Back to the matter at hand, Bill 42

Mr. Conway: And particularly to my amendment, because—

Mr. Conway: Oh, the temptation, Bud, is almost irresistible.

The Acting Chairman: You do not recognize restraint when you see it.

Mr. Conway: I want to go on with my amendment because it makes the case that the university supervisor as set out in this particular bill ought to be redefined in terms of his powers. My amendment, for the benefit of the Minister of Revenue, says that there can be a university supervisor who after an investigation has been made ought to have the power to go in to comment and to advise, representing as he will the government of Ontario.

I know how many of these universities, like so many of these public and parapublic agencies, think. My God, to have a government man or woman in their midst as an investigator, now supervisor—they may not be one and the same person and they are not, exactly; I want to make that for the record—is an extremely powerful provision, it seems to me, given our traditions in this province.

I want the Minister of Revenue to think, as I know he can and will, that this kind of provision and that kind of intervention, given our past, is fairly significant and will produce most of what we can reasonably hope for under the circumstances.

One might ask why I feel the supervisor should be drawn back from the powers that he or she may be given under subsections 13(5) and 13(6). Let me just reread those, because it is important to understand what my amendment deletes.

“(5) Where a university supervisor appointed for a university requests in writing that the governing body or the chief executive officer do any act that they have the authority to do and, in the opinion of the university supervisor, they fail to do so, the university supervisor may do the act on behalf of the governing body or the chief executive officer and the act is as effective as if done by the governing body or the chief executive officer, as the case may be.

"(6) During the term of office of a university supervisor appointed for a university, no act of the governing body is valid unless approved in writing by the university supervisor."

Listen to that, Bud. "During the term of office of a university supervisor appointed for a university, no act of the government body is valid unless approved in writing by the university supervisor." And this minister says that is not some kind of trusteeship. I say to my friends in this House we have a difference of opinion.

I submit that is a form of trusteeship and it is worse. It is a form of generalized and blatant intimidation in the absence of evidence to support that kind of intervention.

Let me prevail upon the goodwill of the member for Mississauga East (Mr. Gregory). I am not saying, nor are my colleagues, that if worse came to worst we are not prepared to give that to you because, Bud, we are prepared to give it to you.

I am sorry, Mr. Chairman.

The Acting Chairman: Member for Renfrew North, I am sure you got carried away in making that reference, recognizing the very strict rules that our Speaker imposes upon references to other members in the House. I would remind you that the member you referred to is the member for Mississauga East. I invite you to continue.

Mr. Conway: Mr. Chairman, your advice is well taken, and it is nothing that a trip to Westminster or Washington would not cure.

The Acting Chairman: Not having had either, I can only invite you to continue.

Mr. Conway: I want to speak to my amendment, now not so much to the Minister of Colleges and Universities as to her colleagues the members for Oxford (Mr. Treleaven), Northumberland (Mr. Sheppard) and Sudbury (Mr. Gordon). I want to tell the member for Oxford that the minister makes a not unreasonable case about her need for improvements in the financial monitoring, certain improvements in investigation, and we are prepared to give them.

I am prepared to go one step further. I am prepared to give the Chairman of Management Board (Mr. McCague) and the other 68 members over there the right in certain demonstrated cases to have the power of intervention along the lines of subsections 13(5) and 13(6) of this bill. All I am saying to my good and reasonable friends is, make the case; and the QCs among the members over there will under-

stand why that may not be so unreasonable an argument as is being suggested by some over there on the front bench who shall remain nameless.

We are not being intractable. We are not being, in my humble estimation, unreasonable. We are saying that we want, and I move now, a more limited power for the university supervisor; keeping in mind, as I know my friend the member for Oxford will, what it will mean to put a supervisor into an institution that has had the kind of historic autonomy that most of our universities have enjoyed; keeping in mind the oft repeated statements by many in the government that we are not going to need this bill, really, because things are getting better.

The data are clear. I must admit, for reasons that are more related to Bill 179 than anything else, and I will say if the minister wants to deal with this at some point that what we do once Bill 179 is off, if ever—and this, I must tell the minister quite honestly, is part of my worry about a private agenda, and I am going to return to this a little later in my remarks—

Hon. Miss Stephenson: There is no private agenda.

Mr. Conway: All right. The minister says there is no private agenda.

The Acting Chairman: If you do not cast aspersions, we will not have to hear any negative comments.

Interjection.

Mr. Conway: No, I do not know that.

Interjection.

The Acting Chairman: Yes, I have already drawn it to the honourable member's attention. He will not do it, you will not have cause to respond and we will be able to go on with this.

Mr. Conway: If you are ruling that—

The Acting Chairman: I am just suggesting. If you want me to rule I will be happy to do that as well, but I do not see any need for it.

Mr. Conway: I accept your advice. I do, believe it or not, try to be parliamentary in my performance here, however difficult it may be for some to accept.

I say to the minister that this bill will not, if I have anything to do with it, clear this House until we have as one of our Liberal conditions an announcement from her about the new operating grants formula for Ontario universities.

Hon. Miss Stephenson: That has nothing to do with this.

Mr. Conway: Let me repeat this clearly. If I have anything to do with this, and I think there is a considerable resolve on the part of my colleagues, Bill 42 will not pass this House until we see and hear from the minister as to what reforms she is going to make on the vital question of the operating grants formula.

9:10 p.m.

Mr. Bradley: That is a fair condition.

Mr. Conway: I think that is a fair condition.

The Acting Chairman: The difficulty I have with that is that it is not in any way, shape or form contained in the bill except perhaps—

Mr. Roy: You bet it is.

The Acting Chairman: I would not try that on.

The member for Renfrew North, having chaired the committee, knows perfectly well that I know what is in the bill. I would invite him and encourage him to pursue the conditions of the bill with whatever ferocity he wishes. If he would do so now, without provoking extraneous debate, I would be very grateful.

Mr. Conway: I believe that on the basis of my discussion as recently as today there is a relationship between this legislation and the new operating grants formula. There is every reason to believe that under the new formula some Ontario institutions would find themselves immediately in jeopardy of significantly contravening the two per cent rule.

If I were at York University, for example, I would not want to have anything to do with Bill 42 until I heard exactly what the new grants formula is going to be. They have a recovery program under way at York. I think the minister knows there is a concern in some Ontario universities about the serious potential impact of the new operating grants formula on the recovery of many of our universities. I think she knows about the concern over their likely contravention of the two per cent rule.

I believe, as do my colleagues, that this issue is vital and immediate. We believe the new operating grants formula could very well have a major impact on the economic health of some, if not all, of the Ontario universities in the next few years. I repeat, given those first two views, I have strongly recommended to my colleagues that this bill ought not to pass this House until such time as we have seen that new operating grants formula.

I do not think it is a particularly difficult condition for the minister for a couple of reasons. One must always remember that this

bill is not urgent because it is not going to be used often, if ever. That is so often told us: "Don't worry. It is going to be there, more ornamental than effective, so you do not have to worry about its immediate implementation." I can recall that being said to me and I accept it, at face value at least.

There is a second point I want to make in that respect. Mindful of the fact that this bill is not necessary because it is not likely to be used, we take the view there could very well be a significant policy statement contained in those new operating grants formulas that have been long promised. I do not think I misrepresent the minister when I say the place has been awash with rumours for weeks that today is the day. Call the minister's office—today is the day.

Would not the member for Hamilton West (Mr. Allen) agree? We have been on standby for—

Hon. Miss Stephenson: Why did you not phone the minister's office and find out?

Mr. Conway: We have. I have. I do not bother the very busy potentate of all education because I know she has other things to do. I call one of her very capable staff, at least one of whom I see, my old friend Bill over there, a fine fellow. Bill is very helpful. I get answers from Bill when I request them. I do not know whether it is Bill I have spoken with, but the minister's staff has been very good with me. We get a quick answer and it turns out to be true.

At any rate, it has been weeks now since those rumours started about the new grants formula. There are some really rich and marvellous stories about how some of it may have leaked out or how an earlier version might have escaped as a result of an incidental conversation between a senior financial person in the ministry and some financial officer. The minister will have to tell me that story some day.

However, I want to come back to my main point. My main point is simply this. We have no great time urgency here because this bill is not going to be often, if ever, used and the grants formula is just there ready to go.

Mr. Roy: Not in our lifetime maybe. Who knows?

Mr. Conway: I do not think it is in any way unreasonable for this Legislature to say, "If we must give the cabinet this kind of executive enrichment"—and that is what this particular bill is, particularly in the kind of university supervisor that the minister envisages with subsections 13(5) and 13(6) of the bill—"we are

going to hold back the final passage until we see that much-awaited operating grants formula."

For myself, on that point let me say for the minister's edification—and time alone will be the judge of this—I think the new operating grants formula will have a definite effect on at least two things. It will have an effect on the financial viability. As set out particularly in terms of deficits in Bill 42, I think it will have a significant impact on some of the Ontario universities.

Secondly, I think there is going to be in the new operating grants formula a significant statement, directly or otherwise, on the critical question and issue of accessibility about which the minister has been speaking in these past few months. I am recalling to mind the conversation she had with John Cruickshank of the Globe and Mail some time on or about August 23, 1983.

I would not want the minister or the Ministry of Colleges and Universities to get their hopes very high about the immediate passage of this particular legislation. We have at least two conditions that we want met—and we have a third. Let me say to the minister, and I hope I have her undivided attention, if tonight or tomorrow upon reflection she was to indicate to me or to my friend the member for Hamilton West that she was prepared to take something less than the whole loaf, I think he and I could be prevailed upon to be expeditious in our passage of what hopefully would be a mutually agreeable bill.

The minister said not many moments ago there were certain parts of this bill she needed in the here and now or fairly soon. Maybe the minister is prepared to talk turkey. Maybe she is prepared to indicate what it is she needs in the here and now. I repeat for you, Mr. Chairman, and for your illustrious colleagues the member for Northumberland (Mr. Sheppard) and the member for High Park-Swansea (Mr. Shymko), I am not an unreasonable man or an unreasonable member of this assembly. If this minister has a requirement for certain aspects of this bill, I could be lightning-like in my response to her request.

9:20 p.m.

Hon. Miss Stephenson: That is the most hilarious thing I have heard this year.

The Deputy Chairman: Let the honourable member continue and you will have your chance.

Mr. Conway: To paraphrase my illustrious federal lever—leader—try me.

Hon. Miss Stephenson: That was an appropriate Freudian slip.

The Deputy Chairman: Carry on.

Mr. Conway: Mr. Chairman, I do not want to leave you and your colleagues with any lingering residue that I might be unreasonable; I know you know I am not. If the minister has a desire to accept this amendment, then we are well on the way. If, on the other hand, she is going to stand Boadicea-like on subsections 13(5) and (6) of this bill, then we have a problem. It could be resolved by her bringing forward those parts of the bill that are required for her immediate agenda and we can deal with that. I hope the minister heard that because it is offered in good faith.

I am sure there are members across the way who are asking what, if any, evidence there is to support my claim that the bill contains more than is necessary to meet the demonstrated need in the university community. If the member for Parry Sound (Mr. Eves) is thinking about that kind of good and sensible thing, as is his wont, I think he is asking himself a good question.

I want to review selected parts of the hearings in September. I want to deal with the testimony of the Council of Ontario Universities. On that sunny Tuesday, September 6, 1983, the council was represented by Dr. Alvin Lee, who is the current chairman of COU and president of that distinguished Hamilton-based institution, McMaster University; Dr. Alan Earp, vice-chairman of COU and president of Brock University; and the very able executive director of COU, Dr. Ed Monahan.

I thought the delegation, responding as it did to our invitation, presented the Legislature with an extremely good brief. I would highly recommend it to members who have an interest in university affairs. It is about an eight- or nine-page document entitled, Universities, Public Priorities and the Future of Ontario. It was spoken to effectively by the three gentlemen on that occasion.

I am always impressed by Dr. Alvin Lee. I think the Solicitor General (Mr. G. W. Taylor) is a graduate of McMaster.

Hon. G. W. Taylor: Yes, but I haven't got my doctorate yet like your colleague.

Mr. Conway: I am sure it will not be long in coming.

I remember one of the first times I met Dr. Lee. We had a caucus meeting in that famous by-election of June 1983 when the member for

Hamilton West was the successful candidate. After Dr. Lee had made a positively breath-taking presentation to us on that day, one of my friends in caucus leaned over to me and said, "That man gives the impression of having brains he has never had to even think about using." I thought that really said a lot about a very fine mind and an extremely articulate spokesman for the Council of Ontario Universities.

I want to review some of the highlights of the COU presentation to the committee. In the first part of that submission, they said: "The Council of Ontario Universities submits this brief to the standing committee on social development of the Legislature of Ontario in connection with Bill 42, which is intended to limit university deficits."

This is extremely important for you, Mr. Chairman, in your difficult job of arbitrating a sometimes wide-ranging debate. "This Bill 42," said COU, "can only be understood in the wider context of university funding." Let me repeat that for the benefit and edification of my friend the member for Oxford (Mr. Treleaven). "This Bill 42 can only be understood in the wider context of university funding."

COU went on to talk about its examination of current university funding levels in relation to enrolment and student demand, research responsibilities, tuition fee levels and capital requirements for teaching and research equipment and for renovations and alterations.

The following facts and basic questions on public policy concerning universities emerged in the brief: "University enrolment in Ontario is at an all-time high and an increased participation rate, already among the highest in the world, may keep it high through the 1980s should a university place continue to be made available for every qualified applicant."

Let me say, Mr. Chairman, there you have it from COU. It sees, and it is so stated in its brief, a direct relationship between Bill 42 and the critical emergent issue of accessibility.

It went on to say: "Ontario ranks last among the provinces in its operating grants per student, 25 per cent or \$1,500 below the average for the rest of Canada." Where have you heard that before?

Mr. Nixon: From Stuart Smith.

Mr. Conway: You do not have to believe Stuart Smith. I cited the Fisher report earlier. You can stop believing the opposition politicians on this issue. You can stop believing the Conways and the Allens of this world, and you

can start and finish with Harry Fisher or with the COU.

Let me repeat: "Ontario ranks last among the provinces in its operating grants per student, 25 per cent or \$1,500 below the average for the rest of Canada." COU asks: "What is the appropriate financial contribution by the province towards an education of high quality for each student?" It goes on to cite four data that I think are useful and timely to recite.

This is fact number one from COU. Since 1970-71, or to put it another way, since the beginning of the hegemony of William Grenville Davis, full-time equivalent enrolment has increased by 62 per cent and income per student has fallen in constant dollars by 26 per cent. Since 1980 the comparable figures are a 15 per cent increase in enrolment and an 18 per cent drop in income per student. Such is the Davis record in post-secondary educational finance.

Fact 2: Ontario currently spends much less on university education per student than any other province, about 25 per cent or \$1,500 less than the average for the rest of Canada. That was the fact I cited earlier.

Fact 3: The decline in university income per student since 1970-71, the beginning of the Davis years, of more than 25 per cent contrasts with a growth of more than one third in the amount of expenditure per elementary and secondary school pupil over the same period.

Fact 4: In slightly over a decade the share of the Ontario budget devoted to universities has declined by 23 per cent, from 6.6 per cent in 1972-73 to 5.1 per cent in 1983-84, a loss of \$326 million in current dollars.

Those are the facts as established, not by me, not by the Ministry of Colleges and Universities, not by the Toronto Star, not by the newspaper at the University of Toronto, but by the very prestigious Council of Ontario Universities.

COU went on in its brief to this Legislature presented a month ago to say: "Ontario university tuition fees set by the government of Ontario are among the highest in Canada but represent about 15 per cent of university revenues. What proportion of the cost of university education should the individual student bear through fees?"

It went on to talk about the issues of research, development, capital, replacement—I will skip that part which, I might tell you, is not altogether congratulatory of provincial government efforts—and said, "The future role of Ontario and Canada abroad will be dictated by our degree of commitment to basic and applied research."

Mr. Chairman, the Council of Ontario Universities is inviting you and your other 68 colleagues to look to the future, to build, to better, and to keep the promise for your children and your peers as they look to the economic challenges and the educational opportunities in Kapuskasing, in Cornwall, in Windsor and in St. George. Let me repeat. "The future role," said COU, "of Ontario and Canada abroad will be dictated by our degree of commitment to basic and applied research. The level of financial support to universities will enable them to achieve excellence in both teaching and research."

9:30 p.m.

They did not try to answer a question that Harry Fisher et al certainly struggled with and answered to a significant degree two years before. They note the public opinion surveys indicate—and, God knows, when anyone talks about public opinion surveys, over here we assume that the Treasury bench at Queen's Park perks up and listens with great care—that the people of Ontario desire the high quality of university education that we have had to be preserved.

"The universities of Ontario alone cannot answer the questions put," said COU. "The government of Ontario must answer the questions that have been posed as a result of the introduction of Bill 42. Healthy and vigorous universities are of vital importance to the future of this province and of this country. At stake in this investment is the future of Ontario as an advanced technological and humane society."

So seldom has it been my privilege to sit in on a debate that touched upon the central issues of our mandate here, both educational and economic. At a later point in their presentation, they very wisely talked of the budget papers that are part of the Ontario provincial budget for 1983. They talked, for example, of Ontario's budget paper called, R and D and Economic Development in Ontario: A Discussion Paper, and they noted that budget paper, setting out the views of the then Treasurer, recognized "an adequate supply of qualified researchers with graduate level training in the natural or applied sciences is an essential precondition for performing R and D."

"The highly qualified manpower required for the performance of R and D is usually drawn from the graduates of university doctoral and masters degree programs. Universities also play an important role by maintaining a basic level of expertise in fields that could become important in the future. In addition to training highly

qualified manpower, universities influence industrial R and D through the conduct of basic research and the performance of contract research.

"For a number of years, various agencies and groups have been expressing grave concern over the low level of expenditure in Canada on R and D. Ontario universities have been sharing in the slow expansion of Canada's research activity. Though with inadequate financial foundation, the Ontario Council on University Affairs has expressed its concerns about inadequate support for research on a number of occasions—most recently in its Financial Analysis of the Ontario University System, 1982, published in December of that year."

In that report OCUA/COU repeats its judgement, quoting OCUA: "that the level of operating grants provided Ontario universities in recent years has not allowed them to maintain their research base, particularly with respect to equipment and libraries. In the past two years, the government of Ontario has provided grants to universities through the Board of Industrial Leadership and Development, \$12 million in 1983-84 for the purchase of research equipment in science and engineering and to support research employment contracts with industry, but this has only partially offset the acute shortage in operating revenues."

Hon. Miss Stephenson: That is not all for 1983-84.

Mr. Conway: I think the minister is right. She has to be right because there is no way they could have known.

The minister says that COU is wrong in its statement that the BILD grants to Ontario universities in 1983-84 are not \$12 million. Let me just repeat that so there is no misunderstanding. I have learned the hard way with this minister that one is always wise to go through it a second time. Quoting from page 6 of the COU brief to us in September at the standing committee for social development: "In the past two years, the government of Ontario has provided grants to universities through BILD \$12 million in 1983-84 for the purchase of research equipment in science and engineering."

Hon. Miss Stephenson: It is not that much. There is a discrepancy there.

Mr. Conway: That is fair enough. The minister says that is not necessarily accurate, and I accept her judgement. We can check that out.

The main drift of this is clear. There is a serious difficulty with the granting level of the

Ontario government with respect to the objectives set out by budget papers as recently as May of this year for the universities, which are supposed to be pathfinders as far as society and the economy in so far as leading us into the knowledge information age is concerned.

I recommend this report to any member. It is a concise seven- or eight-page summary from the prestigious COU, which I think details many of the difficulties in a straightforward way.

I want to review some of the testimony by Dr. Alvin Lee and his colleagues from COU about my ongoing concern in this whole process, which has been how far should we be prepared to go in 1983 with respect to intervention along the lines of a university supervisor. I am quoting myself, if I might. I do not do it often. I try to avoid it at all costs, but I think it is relevant in this case:

"Would you"—Dr. Lee—"feel happier if this intervention"—we are now talking about the substance of my amendment, how far should a supervisor go—"were based on the occasional as opposed to the general power of intervention? In my comments with the minister on earlier occasions, I have felt that if there are those rare and exceptional situations that do develop, it would be less objectionable, it seems to me, to legislate in a specific way and to intervene in the financial management of university X rather than to legislate this kind of omnibus bill, which sits up on the shelf presumably for such application as opportunity affords."

Dr. Alvin Lee, president of McMaster University and chairman of the Council of Ontario Universities, responds. I think the minister will want to listen, as I know she is, to this. Dr. Lee says: "The short answer to your question is yes, I think that would be preferable. But, of course, from government's perspective it does not have the same deterrent impact that this legislation might have."

That is an interesting statement. We have from Dr. Lee a statement, I think a fairly clear statement, that COU, as he represents it, would prefer something less than the general power the university supervisor has in section 13, particularly subsections 13(5) and 13(6) of Bill 42.

I thought it was really interesting in rereading his comments that he should say: "I think that would be preferable. But, of course, from the government's perspective it does not have the same deterrent impact that this legislation might have."

My colleague the member for Brant-Oxford-Norfolk (Mr. Nixon) might just set his mind to thinking about what Dr. Lee would imagine the effective deterrents of this legislation would pose over any alternatives.

9:40 p.m.

I went on to ask Dr. Lee if he would amplify a little bit. He said—and I thought he said it well—of Bill 42, but particularly section 13 of it, "This is a pretty brutal mechanism." It is not Conway saying that, Mr. Chairman; it is the president of McMaster University saying that the intervention powers of Bill 42 are "a pretty brutal mechanism."

Hon. Miss Stephenson: What was the question that you asked him when he said that?

Mr. Conway: Thank you, Mr. Minister.

The Acting Chairman (Mr. Robinson): Perhaps it did not come through clearly.

Mr. Conway: Exactly. Thank you, Mr. Chairman. I apologize for referring to the minister as Mr. Minister. It certainly is Madam Minister.

The Acting Chairman: There may be a time when you have greater regret than you have now. However, for the clarification of us all—

Mr. Conway: If you had been in those hearings, Mr. Chairman, you would agree with me that the fact that the member for Durham East (Mr. Cureatz) lives is a comment to moderation on all sides.

The Acting Chairman: I do not think it would behoove either of us to expand on that. I simply ask you to remake your point.

Mr. Conway: But you must admit he was pretty heroic.

The Acting Chairman: I will admit nothing while I am here, except to ask you perhaps to remake the point for our clarification and edification and to take your foot off the furniture and continue.

Mr. Conway: I give the member for Durham East one considerable lot of credit, because I thought he steered it on with very considerable effect and charm not once but twice. Perhaps that explains why he is no longer Chairman. But he is a fine fellow none the less.

The Acting Chairman: He is gone, and I am still here; so why do we not continue.

Mr. Conway: For the benefit of the minister and perhaps for the benefit of the vice-chairman of the Council of Ontario Universities, whom I think I see with us here tonight, I will repeat my

question to Dr. Lee, because the minister asked for it:

"Mr. Conway: Would you feel happier if this intervention"—

Hon. Miss Stephenson: No, no. The next question after that.

Mr. Conway: All right. Fine. My question to Dr. Lee after he says: "The short answer to your question is yes, I think that would be preferable. But, of course, from government's perspective it does not have the same deterrent impact that this legislation might have."

"Mr. Conway: Would you amplify that just a little bit?"

"Dr. Lee: This is a pretty brutal mechanism."

I think that is pretty clear. I think Alvin Lee intends to suggest to the committee and the Legislature that from his point of view Bill 42, particularly those provisions of it set out in the university supervisor area, are a pretty big stick.

Hon. Miss Stephenson: That's not contained in any of the communications from the COU.

Mr. Conway: All right. But that is the joyful part of parliamentary democracy; it is what makes this whole process worth while. It is why I know the minister has got to be delighted with the prospect of doing that again because, rather than the tiresome, tedious corridors of Mowat Block discussions of these things, she has the opportunity for an airy amplification in the legislative committee room.

Hon. Miss Stephenson: Oh, I do? You obviously have no idea of the role of a minister—and never will have, at this rate.

Mr. Conway: You may be right. I am not so bold as to imagine sitting in the bathtub—

The Acting Chairman: I think we have lost a measure of the flow we had before.

Mr. Conway: I like the licence plate, if not the car. I think the licence plate is pretty good. I will give you a little gold star for that.

The Acting Chairman: I am sure there is no transportation bill before us.

Mr. Conway: Is it MCU001?

Hon. Miss Stephenson: UCE001.

Mr. Conway: We do, in a funny kind of way, make up after these earlier spats, the minister and I, and that makes it—

Interjection.

The Acting Chairman: I am grateful. Could we truly address ourselves to the bill?

Mr. Conway: All right. You will see that the

minister is making an extremely important point. Mr. Chairman, please understand—

The Acting Chairman: I am very indulgent, if nothing else.

Mr. Conway: Understand, Mr. Chairman, what the minister has said. The minister has said, "COU never said anything about Bill 42 being a 'brutal mechanism' in any of their discussions." But they did say that in a committee of this Legislature. They said it publicly, and Alvin Lee repeated it later on.

Hon. Miss Stephenson: Because you asked him to.

Mr. Conway: He is a consenting adult, and he is a bright man; and the minister is an awfully bright lady.

I do not think the minister is under any particular duress, but it is extremely important that she now understand COU had certain concerns, whatever happened in the private correspondence and the chatter in the oak-panelled room leading up to Bill 42. I know there was some. The Council of Ontario Universities worried about certain things the minister has dealt with in the bill and certainly in the amendment.

Hon. Miss Stephenson: Most of the discussions were not with COU.

Mr. Conway: All right. They were not with COU.

I am a parliamentarian who believes that this Legislature, through its assembly and committees, has a role to play. I thought it was played out well. The minister should have been willing to note, as we dealt with this legislation, that the chairman of COU, admittedly under some cross-examination, indicated it was a brutal mechanism. It may have been news to the minister, but it was important news none the less. Accepting that the minister is a reasonable person most of the time, although on certain legislative initiatives she can be difficult, I think it is fair to say—

The Acting Chairman: Please do not do it again—saying who is what.

Mr. Conway: In a supplementary question I then said to the chairman of the Council of Ontario Universities, "We are legislating this presumably for your benefit, Dr. Lee, and if you think it is a brutal mechanism, I would like to know a little more about your understanding of its specific and general brutality."

"Dr. Lee: I can see this headline tomorrow.

"All the universities of Ontario with the exception of the University of Toronto have a

bicameral system of governance, a senate responsible for academic policymaking and a board responsible for the financial solvency and management of the university. For this legislation to come into effect at a particular institution means that the administration and the board of a particular university will have let things get to such a situation that by legislation an outsider comes in and starts to manage the university and make the financial decisions, almost certainly meaning the cutting back of this or that.

"In other words," Dr. Lee continued, "the traditional governmental patterns of a university set down in our act will be set aside to that extent. Perhaps 'brutal' is a melodramatic term, but it is a very decisive external force coming in to manage something that the people there with the legal responsibility for doing it at that point have not done."

That worries me. In talking to people like Dr. Lee and some of the minister's staff, I keep finding there is a general belief in goodwill and good management. We have the minister at a little later point in the week-long hearings stating that—certainly Burt Matthews said it—there was a pretty good tradition and record in the management of our universities.

It is worries me when people like Dr. Lee and others think about what it is going to mean. Perhaps I am too particular—I am a little ornery on occasion—but if I were a board member at a place such as McMaster University and I had foisted on me a university supervisor who essentially took over the job I had of running the institution, the minister would have her institution. She would have it lock, stock and barrel.

Hon. Miss Stephenson: You're wrong.

Mr. Conway: Well, that is my own view; I am not saying it is anybody else's. I know the minister will be anxious to appoint me to the board of Queen's University or Carleton University.

Hon. Miss Stephenson: It is certainly not the board members' view.

9:50 p.m.

Mr. Conway: We shall see about that. This tends to have a little different bearing on people once they have the reality of its immediacy and its experience.

Given the way in which the minister controls much of the game, if I were there I would be sorely tempted to say, "Minister, here are the keys; run the place and good luck, because under your rules, I have tried to do it for the past five years and it just ain't possible." No central

government would ever want that responsibility dumped on it, particularly in view of the internal advice she probably gets in many of these cases.

I was giving the minister credit earlier; perhaps I did not give her credit on another account. I know that it is with a very considerable diligence that the minister has gone to the executive council Wednesday after Wednesday and has been buffeted by the Minister of Municipal Affairs and Housing (Mr. Bennett) and others who are perhaps not as sensitive to our universities as the Minister of Colleges and Universities obviously is, if private accounts of her internal governmental activities are to be credited. I do credit those accounts, because they tell me we should be so lucky in this province as to have in the government a minister who is as bright and as tough and as powerful as the current minister; so I have to believe the reports which indicate she has fought long and hard in the executive council for a greater share of a diminishing pie.

There is a part of me that would almost like to see, in an age when constraints are off, when the two per cent rule is in effect and when the funding levels suggested by Harry Fisher et al are not complied with, somebody being in default and the minister finding herself with a university to run under the rules she has set for the abdicating party. But I suspect that will never happen because, recognizing the impossibility of the task the minister will have set for herself, she will move to amend one or some of the ground rules—probably up the ante for grants—and save the day in that respect.

I simply recall Dr. Lee's testimony because I think he touched upon the central point of my amendment. The central point of my amendment is that while I think there is a commonly agreed understanding that we need a better handle on the financial information of the universities, it was interesting to talk to people in the universities after the hearings and in some cases during the hearings. I was asking certain people from the Council of Ontario Universities and other specific institutions, "Can you recall, institution X, have you ever denied the Minister of Colleges and Universities information that she requested?"

The minister, sharing smiles as we are, knows that no one I encountered, and it was by no means an exhaustive survey, told me they failed to provide the information that had been requested.

Hon. Miss Stephenson: We got it a year and a half later.

Mr. Conway: It was like her grants: what is good for the goose is probably good for the gander. I am thinking about those poor school boards out there who wait and wait and wait for the transfers and borrow and borrow and borrow and up the mill rate in Keswick because they have no choice; they have been kept waiting too long.

I do not know about the universities having to borrow money like the good burghers of Keswick, because she has delayed them; but if they have delayed the minister, I want the minister before this hearing is out, to share with us, to share with me privately, confidentially some case examples.

Hon. Miss Stephenson: Nothing is confidential with you; you spill everything. You have a leak. You have a haemorrhage, I think.

The Acting Chairman: I do not think he requires a medical diagnosis at this time.

Mr. Conway: Mr. Chairman, she has given it to me so many times that at her opted-out price, I would be broke.

The Acting Chairman: Be that as it may, you have been the picture of restraint tonight, which has not gone unrecognized.

Mr. Conway: I remind you, Mr. Chairman, and the minister, the next time the vicar of Brampton ascends his pulpit of self-righteousness to lecture us about, "Let's not be personal; let's recall the record," let her without sin—let she without sin—cast the first stone.

The Acting Chairman: We're all without sin; let us continue with Bill 42.

Mr. Conway: But, you see, there is the difficulty, sir.

The Acting Chairman: I gather there is some difficulty in doing that, yes.

Mr. Conway: The minister is quite confident and secure in the knowledge that there are problems out there in terms of failure to report early, on time or completely. I do not know whether the member for Hamilton West (Mr. Allen) has heard, but I do not recall having been given concrete examples of where that has created a problem. Can he remember? I cannot.

The minister is obviously smiling in the knowledge that these—

Hon. Miss Stephenson: I'm not smiling.

Mr. Conway: The minister gets a blue star for that; at least she is trying.

All I am saying in the sweet reasonableness of the first evening sitting of the fall session of the Ontario Legislature is to let us, as people who

have to make the decision, have some of the facts; let us have some of the evidence.

Has Father Guindon been unhelpful to the minister?

Hon. Miss Stephenson: No. I don't think so.

Mr. Conway: What about Dr. Earp and the good people at Brock?

Hon. Miss Stephenson: Perhaps from time to time they have been slightly unhelpful, but—

Mr. Conway: Oh, well now, Mr. Chairman—

The Acting Chairman: Let us not involve any more people in this.

Mr. Conway: Let me note that it was a very reluctant and passing smile that reference drew from Dr. Earp, the vice-chairman of the Council of Ontario Universities.

The instant I resume my place at 10:30, I am going to dispatch the member for St. Catharines (Mr. Bradley) to engage Dr. Earp with a view to ascertaining his understanding of deficiencies as between the reporting of that institution and York.

Hon. Miss Stephenson: On a point of order, Mr. Chairman: The honourable member really doth protest too much. It is insignificant that the member is raising the issue related to Dr. Earp, who happens to be present. I do not recall on any occasion that Brock University has not provided us with information, albeit it may have been done slowly from time to time; but it is not the example that I raised.

The Acting Chairman: I can only say, minister, if you involve members of the public in the debate of the House then unfortunately—

Hon. Miss Stephenson: It was not I. It was the honourable member who raised the fact that Dr. Earp was here.

The Acting Chairman: It was you, though, I fear, who may have drawn him in. Perhaps without further admonishment, if we could keep the debate reasonably centred back to ourselves and more particularly back to Bill 42, we might meet with some greater measure of progress.

Mr. Conway: Mr. Chairman, it is extremely helpful for the minister to clear the air about that distinguished institution in the great electoral districts of St. Catharines and Brock.

Hon. Miss Stephenson: I really should have learned a long time ago that you are viperish.

Mr. Conway: That bothers me, to have the minister call me a viper.

Hon. Miss Stephenson: Oh no, I didn't say you were a viper.

Mr. Conway: Well, she said I was viperish.

The Acting Chairman: There is nothing to be gained, I am sure, from either the comment which provoked the response or the response itself; perhaps we could proceed.

10 p.m.

Mr. Conway: Mr. Chairman, all I am trying to do in the debate on my amendment is to draw my friend the minister out, as I appreciate her willingness to do from time to time. She is sitting there and, I think it is fair to say, she is quite secure in the knowledge that there are some real problems with reporting in some cases.

Hon. Miss Stephenson: Read Hansard again.

Mr. Conway: I will. I will read it very carefully, and I am going to chat with my friend the member for Hamilton West.

Again I come back to the central point. If the concrete facts are placed before me, we will deal with it. I said some time earlier this evening in that connection that if there are provisions the minister wants this Legislature to give her, I am going to join with the member for Brantford (Mr. Gillies), the member for Parry Sound (Mr. Eves) and the member for Northumberland (Mr. Sheppard) in giving them speedy passage, because I do not want it on my conscience that I am standing as a barrier between her and a more efficient administration of our Ontario universities. But I think we have to know what we are trying to correct, and the difficulty I have had with this bill is that I am being asked to legislate generally for a problem that is going away and specifically for information about financial difficulties.

I forgot. May I congratulate the member for Parry Sound, who I have just remembered is the new parliamentary assistant to the Minister of Education. My congratulations are freely offered. The member for Parry Sound, being at the outer edge of the ministry—by that I mean only that he is a junior; a junior minister in this case—is a reasonable man. Our ridings come together near the great community of Mattawa, and we have met on the Mattawa-Papineau line a few times. If we can meet there to resolve matters of mutual interest and concern, I am sure the member for Parry Sound and I, in the absence of the potentate of all education, can iron out these difficulties.

But I ask him, in the hours that will intervene between the end of this sitting tonight and another occasion, to take me aside and say: "Listen, here are the specific problems. Did you

know that at university X we have these particular difficulties?" I have not heard what I consider to be compelling evidence that there has been a reluctance by the universities. And if there are timetables he really wants to establish more clearly—and I do not doubt that this is certainly what the regulations are going to do under the earlier parts of Bill 42—then I am all for it and I am all with you as long as I have something concrete and specific to respond to. I have always found it difficult to dance in a fog, and I do not find it any easier to manage that tonight with Bill 42.

I have to say for the benefit of the parliamentary assistant, in the absence of the minister, that there are university administrators out there who are more than a little angry at the Minister of Education for the impact and import of what she has had to say about them. They are not very pleased to read in the parliamentary records of this place that they have somehow failed to meet the dictates and requirements of the government of Ontario.

They are good people. Father Guindon is a very fine man, and I am sure he and the other 15 university presidents of this province want to oblige. I cannot imagine that the brother of the alter ego of the province of Ontario, Brian Segal at that Tory senate at Ryerson, would ever want to run afoul of the power and the glory here. He is obviously a man of goodwill and presumably of good management.

Some of these people are getting a little annoyed that these rather cavalier generalizations, unsupported by many or any data from the ministry, are being put on the public record in this very public place without much opportunity, quite frankly, for a lot of those people to come forward and clear the air. It is difficult for many of them because, when you depend on the government to transfer the kinds of funds that are involved, I think it is fair to say that their capacity to engage the minister publicly or vigorously in some ways is not as fulsome as it might otherwise be.

So to the parliamentary assistant, beyond my initial congratulations, which are sincere and genuinely offered as a lawyer, as a member of the Law Society of Upper Canada, with whom I have had an interesting visit lately—I must admit that the treasurer of the law society reminded me of the Minister of Education in a way—perhaps the member could enlighten me.

I do not think I am the sieve that the Minister of Education suggested I am. I can hold a secret remarkably well. I have a few in my possession

that would create a spectacular reaction over there and in the public press if I were so foolish and so unreliable as to release them. It is true I will on occasion blab a bit, but I think I am pretty careful about with whom and where. I think I am something more than she suggested.

I think the parliamentary assistant can truthfully take it that if he is, as he must be of necessity, in possession of such information as would necessitate the kind of legislation we are getting here, on either count, on the financial data which, as I say, there is almost no resistance about—we were prepared tonight to give you that. I just note that it seems to be redundant because nobody out there is saying there really is a big problem except the minister. All I have heard from the other side of that is, "We will accommodate her every directive." She has not been as specific in some of those cases as we would have imagined.

I want to go on to what was in a way probably the most interesting testimony of the whole week—the member for Wellington South (Mr. Worton) is not here; he was here earlier—from the then chairman of the Ontario Council on University Affairs, Dr. Burton Matthews, formerly president of the University of Waterloo and just recently appointed president of the University of Guelph. My friend the member for Brant-Oxford-Norfolk (Mr. Nixon) seems to have more than a passing acquaintance with him.

Dr. Matthews came before us on that occasion. There is a rumour over here, and it may be very unfair, but some people in the Liberal cloakroom had been heard to say that Burton Matthews is a bit of a Tory, that Burton Matthews even harboured a political career, but the thought of taking on the member for Waterloo North (Mr. Epp) is more of a challenge than even Burton Matthews wanted to tackle at this stage in his illustrious career. That is only corridor gossip in the Liberal cloakroom at Queen's Park, but I thought—

Mr. Chairman: Dealing with the amendment.

Mr. Conway: Just a bit of deep background on the next individual who appeared before the hearing, and that was Dr. Burton Matthews, the then chairman of the Ontario Council on University Affairs. OCUA, as it is called, is the senior policy adviser to the Ontario government for university affairs. It is a kind of council of health in higher education.

Apparently it has had a very mixed career. The member for Hamilton West (Mr. Allen) certainly knows more about it and its makeup

than I do, but I gather from my examination of its past that its advice is not always taken. Its batting average is down there with Gary Carter's and not altogether as impressive as one might imagine, though it has offered up some pretty useful material, not the least of which was its 1982 report on the financial health of the Ontario university system.

At my request Dr. Matthews came before us, because Bill 42 is in a way the council's handiwork. The compendium on this legislation contains this statement on page 1:

"On February 18, 1982, the Honourable Bette Stephenson, MD, Minister of Colleges and Universities, announced that the Ontario government will not provide extraordinary funding for institutions that incur unmanageable deficits. She also asked the Ontario Council on University Affairs to advise her on the most appropriate legislative method to prevent universities from incurring unmanageable deficits and to eliminate or reduce any that have been incurred."

10:10 p.m.

I say to the parliamentary assistant that council responded with advisory memorandum 82 with five restrictions on university deficits. The advice contained in the advisory memorandum forms the basis for this legislation.

It is an interesting relationship between OCUA and Bill 42, because there are some out there who have been led to believe this was really OCUA's idea—it was not the minister's idea, it was OCUA's brainchild—without their clear understanding that the minister specifically requested on that day in February 1982 that OCUA advise her on the most appropriate legislative method to prevent universities from incurring unmanageable deficits and to eliminate or reduce any that had been incurred.

It, of course, produced memorandum 82-V, which has the essentials of Bill 42, particularly that part of the bill I am most concerned about; namely, the second stage of what OCUA would call primary intervention.

The minister, in a useful education for me, clarified the confusion that had crept into my mind about the difference between the second stage of primary intervention and the first stage of secondary intervention. That was an exercise we all profited from; I know I did.

But it is then important to see what Dr. Matthews had to say on that particular occasion. He was really remarkable. Burt Matthews is a man about whom I have learned a fair bit. He was the president of the University of

Waterloo for a period of about nine years—I will check that—but he has a reputation as a pretty hard-nosed fellow. He is bright and tough. He was president of the University of Waterloo for 11 years, from 1970 to 1981.

In my earlier reincarnation as an undergraduate at that old school down the street—Waterloo Lutheran University—that graduated, among others, the members for Kitchener (Mr. Breithaupt), Waterloo North (Mr. Epp), the Minister of Natural Resources (Mr. Pope) and myself, we used to hear these things about Burt Matthews which were very good in terms of his administrative capacity. So I was really interested to meet him. He came and he was remarkable and extraordinary in what he said and the way he said it.

I honestly got the feeling that Burt Matthews was, in some way, a bigger hawk about this bill than the minister herself, hard as that might be for some people to imagine.

But we were interested about the reasons for the bill. Why did we have this kind of a proposal? Because in her directive the minister left seemingly enough scope that it could have done a number of things.

I think the minister would agree with me that it could have said, "We do not think it is an appropriate question and we are not going to deal with it." It might have said, "Read our 1982 report about the financial health of Ontario universities and up your ante and the problem is basically going to disappear." It might have said, "Madam Minister, as you know, the situation is well on the way to correcting itself and therefore we do not think it is useful for us to spend a lot of our time on the generation of a proposal that is essentially redundant in the here and now."

Or it could have done what it did do, which was take the request seriously and get to work on a review of other provincial governments' legislation in this area and then on a specific bill for the recommendation and the attention of the minister.

I am just going to cite some of Dr. Matthews's testimony. There is no stare, Mr. Chairman, quite like that stare. I feel as though it is the human X-ray. I am intimidated.

Mr. Chairman: We are all perhaps a little curious what you are about to repeat.

Mr. Conway: I am not repeating anything. I am now going to deal with the important testimony of Dr. Burt Matthews, the then chairman of the Ontario Council for University Affairs, the now president-elect of the Univer-

sity of Guelph, the former president of the University of Waterloo who, in his capacity as the former chairman of the Ontario Council for University Affairs, was part of that advisory group that drafted memorandum 82-V, which formed the basis of this bill and, in particular, dealt with the kind of university supervisor that I seek to amend with my amendment here tonight.

Mr. Chairman, I hope you will indulge me just a little longer, and I am not going to be much longer.

Hon. Miss Stephenson: But you are not going to be quite so selective in your readings as you were with—

Mr. Conway: Do you feel I was selective in my—

Hon. Miss Stephenson: Not quite. You left out one very important—

Mr. Conway: Listen, I appreciate that. I am trying to be a bit selective, because I realize that time may be of some concern.

Hon. Miss Stephenson: Oh, really?

Mr. Conway: There is a certain irritation about you, Madam Minister, that I have grown to identify at an early stage.

Hon. Miss Stephenson: I don't know why you should think that.

Mr. Conway: Madam Minister, it is unavoidable. If you feel there is something about Dr. Lee's testimony that bears clarification, I would be very pleased on a point of—

Hon. Miss Stephenson: Might I ask you to read the middle paragraph on page 11?

Mr. Conway: I am quoting Dr. Lee: "There was a good deal of discussion in various senates and boards around the province last year. Our board made a submission to the minister strongly recommending what the Council of Ontario Universities did—circumscription of the powers of the supervisor—in much the way that the minister has now put it in this version.

"Yes, there was a good deal of concern and a kind of acceptance, on one hand, that maybe it is inevitable, however unpalatable."

Let me just repeat that, because that is very useful. I read that—

Hon. Miss Stephenson: Particularly the final sentence in the first paragraph.

Mr. Conway: All right. "There was a good deal of discussion in various senates and boards around the province last year. Our board"—at McMaster, I might add—"made a submission to the minister strongly recommending what the

Council of Ontario Universities did—circum-scription of the powers of the supervisor—in much the way that the minister has now put it in this version.

"Yes, there was a good deal of concern and a kind of acceptance, on one hand, that maybe it is inevitable, however unpalatable."

I do not see that this is a compelling support for your case, I am sorry. I did not read it; I should have, now that I look at it. But I do not see—

Hon. Miss Stephenson: It is certainly not quite so damning as you were trying to make it out.

Mr. Conway: Well, that is true; I will grant you that. It is not quite so damning; I think that is fair.

Interjection.

Mr. Conway: To that extent I thank you for the clarification. I am not an unreasonable man. What you suggest is true: by referring to that part of Dr. Lee's testimony it is not quite so damning.

But I do not think there is anything particularly heroic, quite frankly, about the chairman of the Council of Ontario Universities and the president of McMaster University saying, "Yes, there was a good deal of concern and a kind of acceptance, on one hand, that maybe it is inevitable, however unpalatable." I do not think that is quite a ringing endorsement of what you and Bill 42 are all about.

Hon. Miss Stephenson: If there were a ringing endorsement anywhere, it would probably be entirely wrong.

Mr. Conway: But you see, that was the interesting thing about chairman Burt Matthews in his capacity, and I thank the minister for her intervention; that was useful.

I want her to follow through the pages that I read in 29, because I am like others. I do not profess to be omniscient or infallible. I will read now from the bottom of page 29, involving exchanges between myself and Dr. Matthews, starting with the last heading, "Mr. Conway." If you can stomach that, we will start together. Quoting Mr. Conway on page 29 of the Hansard of the afternoon of Tuesday, September 6, 1983, involving a discussion between myself and Dr. Burton Matthews:

"Mr. Conway: Would you care to share with the committee any views you had or formulated as a result of the deficit situations as you encountered them? They are set out, of course, in appendix to your memorandum 82-V, but I

am just wondering whether there was a pattern to the deficits you encountered.

10:20 p.m.

"Certainly when I look at it, it is obvious that more often than not it is the smaller universities that were experiencing some real difficulties; of course, the Laurentian family was the most notable in that connection. But what did you find when you looked at the deficits? Was there anything in particular, a pattern to their development?

"Dr. Matthews: I am not sure I understand.

"Mr. Conway: Dr. Lee just left us, and he certainly left me, with the impression that had it not been for private endowment, they certainly would have been on this list.

"Dr. Matthews: I think that is wrong, I shouldn't say that. I don't think McMaster would be on that list without its private endowment. The University of Waterloo has none."

Now this part is really interesting and I want to read it carefully. Quoting the architect of much of this bill, Dr. Burton Matthews: "One of the reasons I believe there is a need for legislation at this time—and I think perhaps this is the most important reason—is that we have to realize we are dealing with a system that includes 15 or more autonomous institutions, and they need to have guidelines for their operation.

"It is important that every institution know that no institution, by running large deficits, can somehow force the hand of government to bail it out. That has been and was a concern of a number of institutions that were balancing their budgets very nicely—and we have mentioned a couple already—with the fear that some other board might see it differently; and without the Legislature setting out that guideline, why should they think differently?"

I think that is a really interesting nugget, and I recall the fervour with which Dr. Matthews offered it up to us that day. Let us just for the sake of argument say, "Burt Matthews, you have it absolutely and completely right." If that is the problem, if that is the vacuum that we have to contend with, the member for York Mills should be given some opportunity to move forward on that.

Modern Progressive Conservatism in Ontario, in its truly remarkable success—a success I admire daily—is notable centrally for its gradualism. I cannot think of anything it does as a party or a government in this beloved Upper Canada of ours that is not staged, that is not gradual, that is not measured and that is not accommodated.

Given that and all we have heard in this committee about the goodwill and the good management and the improvement of the problem, I say to myself, "All right, Burt Matthews, if you are right, step number one is the minister." I cannot think of anybody better because she does this so beautifully. She rises in her place and says:

"Ladies and gentlemen of this Legislature, gentlemen and ladies of the university community, and people of Ontario, in the best traditions of John Robarts and Les Frost, let me tell you what the rules of the game are going to be for university finance in this province.

"Having discussed the matter with the Chairman of Management Board (Mr. McCague) and the Premier (Mr. Davis) himself, I want members to understand that the government policy is clear and unequivocal. Mindful of the fact there may be many out there who are uncertain, or unsure, or confused about what we might or might not do given the presence of unmanageable deficits, let me clear the air. Let me tell those at Carleton, at Lakehead, at Ryerson, at Nipissing University College, at Laurier, at Windsor, at Western, at Queen's and at Ottawa; let me tell Dr. Earp, let me tell Brian Segal, let me tell Dr. Watts: This is the government policy.

"The government policy is as follows. We will not, beginning with the fiscal year 1983-84, tolerate any deficit beyond X limit and one should know this. It is our intention to make good this commitment. We are in a time of reduced fiscal capacity, faced with a series of unprecedented challenges and we are not anxious to be faced with multimillion-dollar bills you people have generated by an unwise management of your albeit scarce resources." So there will be absolutely no question anywhere, says this minister, about what the rule on deficits is going to be.

It seems to me, and I know my friend the member for Bellwoods (Mr. McClellan) would want to agree, that if the redoubtable Minister of Education stood in her place and said that, as only she can in that inimitable way of hers—

Mr. Nixon: Or impenetrable.

Hon. Miss Stephenson: That is an inappropriate word for a mother of six.

Mr. Conway: All right, you two. Come on. Please save that for the member for Oriole's (Mr. Williams) Family Unity Month.

But accepting that the chairman of the Ontario Council on University Affairs is right, I say to the minister, in the best of the gradualism and

gradualist tradition of Ontario Progressive Conservatism, why would she not have—

Hon. Miss Stephenson: It is, in effect, what we did.

Mr. Conway: That is not, in effect, what she is doing. What she is, in effect, trying to do is something decidedly more draconian.

Hon. Miss Stephenson: February 1982.

Mr. Conway: All right. Let me just accept that part of it. Accepting that the minister did that in February, why will she not accept the garlands of her own success?

Hon. Miss Stephenson: In 1982.

Mr. Conway: Why will she, 18 months later, not allow me to transfer to her the successes of that first stage? Because, by her own speeches, it worked. The problem is much less—

Hon. Miss Stephenson: Not immediately.

Mr. Conway: You see, there we go, Mr. Chairman. What do we do? I know my friend, the member for Brantford (Mr. Gillies) shares with me a complete sense of anxiety about trying to do the right thing on the basis of such incomplete information.

If we could draw the minister out more formally on these nuggets of asides that she keeps dropping, the problem, I am sure, would crystalize itself dramatically and we could get on with the job.

Hon. Miss Stephenson: If you ever shut up, somebody might have a chance.

Mr. Conway: I just want to say to the minister that if I accept what she has said about what she did as part of her statement in February 1982—and let us, for the sake of argument, say that I do accept that—I go one step further and I say she won; she made it work. She says she did not make it work. The problem, somehow, is worse than we imagine.

In all good faith, before the minister should expect this Legislative Assembly to give her the kind of draconian powers of intervention that subsections 5 and 6 of section 13 of Bill 42 give her, she has a duty to tell this assembly, and the province beyond, how she has failed and how the problem continues, because the public record is not burdened with that evidence.

Mr. Chairman: I wonder if the member might not think, as it is approaching 10:30 p.m. of the clock, this might be an appropriate juncture to conclude.

Mr. Conway: Mr. Chairman, it is a pleasure to accept your direction. On that, I will resume my

seat and in so doing adjourn the debate to be continued at another time mutually acceptable to all sides.

Mr. Chairman: We do not need to adjourn the

debate, but we might entertain a motion from the minister that the committee rise and report.

On motion by Hon. Miss Stephenson, the committee of the whole House reported progress.

The House adjourned at 10:32 p.m.

CONTENTS

Tuesday, October 11, 1983

Committee of the whole House

Ministry of Colleges and Universities Amendment Act, Bill 42, Miss Stephenson, Mr. Conway,
recessed..... 2009

Other business

Adjournment..... 2033

SPEAKERS IN THIS ISSUE

Bradley, J. J. (St. Catharines L)
Conway, S. G. (Renfrew North L)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Jones, T. Deputy Speaker and Chairman (Mississauga North PC)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Robinson, A. M. Acting Chairman (Scarborough-Ellesmere PC)
Roy, A. J. (Ottawa East L)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities
(York Mills PC)
Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)
Van Horne, R. G. (London North L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Thursday, October 13, 1983

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 13, 1983

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

SERVICES FOR DISABLED PERSONS

Hon. Mr. McCaffrey: Mr. Speaker, many members are aware that we had a group of very distinguished visitors from the Scarborough advocacy centre at the front of the Legislature earlier this afternoon. The Scarborough Advocacy Centre for Disabled Persons and Their Families, also known as Action Awareness, is led by a most dynamic woman, Mrs. Beryl Potter. Her committee pursues a number of very laudable goals, increasing public awareness of the abilities of disabled persons and the contributions they can make and have made, both at work and in their communities.

While I am proud of our government's achievements in providing services and support to disabled persons, I and others know that further steps can and will be taken in order to strengthen our programs. This government has an excellent track record. We have the essential programs in place to assist disabled persons.

Our government provides income support, rehabilitation, education, transportation, housing, health care and other essential services. We have been guided in the development of these programs by five fundamental principles, which I am sure every member of this Legislature supports. Those principles are integration, equality, equity, independence and participation. These principles are the cornerstones on which this government's programs serving disabled persons are built.

The government of Ontario spends about \$2 billion annually on programs for disabled persons and I would like briefly to outline some of these.

The Ministry of Community and Social Services spends more than \$965 million on such programs as vocational rehabilitation, income maintenance through the guaranteed annual income system for the disabled program, residential programs for developmentally handicapped persons, and many other programs for children and adults.

The Ministry of Education allocates close to \$240 million to school boards to enable them to provide programs in the local schools for students with special needs. These exceptional students possess physical, intellectual or behavioural characteristics which result in their requiring special education programs. The ministry also allocates \$40 million to provincial schools which serve the blind, deaf and learning-disabled students.

Disabled persons often have special health needs and the Ministry of Health allocates \$826 million to programs which make some special provision for these needs.

The Ministry of Transportation and Communications transfers more than \$7 million to municipalities for such items as parallel transit systems.

The Ministry of Municipal Affairs and Housing provides approximately \$21 million for assisted housing used by disabled persons.

The list goes on, totalling, as I have said, \$2 billion annually. I might also add that the Workers' Compensation Board provides another \$1.1 billion in awards and payments to injured workers.

Our achievements are not limited to the dollars we spend. We have made impressive gains in this province in the important area of human rights. In 1983, the Ontario Human Rights Code was amended to encompass the rights of disabled persons. Under the amended code, a person with a disability is guaranteed protection in obtaining goods and services, using facilities, entering into contracts, acquiring membership in a union, trade or occupational association, obtaining employment and seeking living accommodation.

One of the code's strongest merits is its ability to ensure that disabled persons are treated with a great degree of flexibility in order to accommodate their needs. Progress has been made in making buildings accessible. Recent changes in the building code will ensure that more premises are accessible.

The government has been listening to the needs and aspirations of our disabled citizens. We celebrated their achievements during the International Year of Disabled Persons in 1981.

That year marked a watershed in terms of the public's awareness of the abilities and contributions of disabled persons in Ontario. The Provincial Secretariat for Social Development took a lead role during the international year to raise public awareness. I think many members will recall the "Label Us Able" campaign, which was extremely well received in the community.

It is our intention to keep the momentum of the international year going. We have moved ahead, we are proud of our achievements, but there is more to be done. We will continue to strive to ensure that disabled persons in Ontario lead the fullest, most productive lives possible.

Later today, my colleague the member for Scarborough-Ellesmere (Mr. Robinson) and I will be meeting with Beryl Potter and eight representatives of the disabled community. Together we will discuss how to build upon the accomplishments of the past to help ensure the brightest possible future for disabled people in our province.

Mr. Speaker: Statements by the ministry. The Minister of the Environment.

[Applause]

Hon. Mr. Brandt: Mr. Speaker, it is nice to know they are all there when I need them.

Mr. Speaker: Order. Apparently copies of the statement have not been distributed.

Hon. Mr. Brandt: I believe the logistics are being looked after. May I proceed?

Mr. Speaker: Proceed, please.

2:10 p.m.

ACID RAIN

Hon. Mr. Brandt: Mr. Speaker, acid rain is an important international environmental issue. It is a matter of public record that Ontario has played a leading role in the international effort to understand the causes and effects of acid rain.

In addition, Ontario has taken significant steps to reduce sulphur dioxide emissions, a prime source of acid rain, from nearly four million metric tons in 1970 to less than two million in 1980. Ontario has also imposed new and tougher regulations on its two major sources of sulphur dioxide, Inco and Ontario Hydro.

Resolution of this issue, however, requires the mutual efforts of a number of jurisdictions in addition to Ontario. The Environment ministers of the eastern provinces have formed a co-ordinating committee, which I have the pleasure of chairing, to deal with this need for a co-operative effort. In this capacity Ontario has

played a key role in working with the other provinces and the federal government towards developing a Canadian acid rain control program and an agreement on the fair division of responsibilities.

I am encouraged by reports that the US administration has stated its recognition of the serious damage caused by acid rain. In an earlier effort to seek bilateral action to resolve this problem, and with federal-provincial agreement, Canada made a public offer to the United States government of a 50 per cent reduction in Canada's acid-rain-causing emissions if the US would make a similar commitment to abatement.

In June of this year the eastern provinces unanimously adopted a resolution setting out the principles of a strategy to control acid rain. This strategy is based on achieving the desired level of environmental protection based on the most cost-effective means of achieving the necessary emission reductions. This least-cost targeted approach was arrived at using Ontario's innovative computer screening model.

Two weeks ago, I met in Fredericton with the federal Minister of the Environment and my counterparts from the eastern provinces under the auspices of the Canadian Council of Resource and Environment Ministers. The prime issue of this year's meeting was Canada's acid rain control strategy and our negotiating position with regard to the United States.

I am pleased to report that the eastern provinces and the federal government have arrived at a fair and responsible agreement. This agreement, called the Fredericton accord, demonstrates the provinces' support for the Canadian negotiating effort. Continued provincial participation will be essential in the forthcoming Canada-US negotiations.

It should be pointed out that Canada acting alone cannot reduce its emissions sufficiently to reach the desired level of environmental protection. Joint US and Canadian abatement is therefore essential. The provincial ministers from eastern Canada have given our federal minister, the Honourable Charles Caccia, a mandate to secure a responsible and effective commitment for reductions from the United States in his meeting with US officials on October 16 in Halifax.

I will keep the Legislature informed of our progress. I am not, however, presenting the details of this accord at this time, as the honourable members will realize the need for us to preserve the integrity of our negotiating position.

URBAN TRANSPORTATION DEVELOPMENT CORP. CONTRACT

Hon. Mr. Snow: Mr. Speaker, I have a very brief statement. Unfortunately, I do not have copies to distribute. It is really an addition to my statement of Tuesday. May I proceed?

Mr. Speaker: Is it the wish of the House? Agreed.

Hon. Mr. Snow: Mr. Speaker, you will recall that on Tuesday afternoon I was—

Mr. Conway: Is it true that only those people who gently and favourable interview the Premier (Mr. Davis) will receive a pass to the official opening of the James Snow Parkway?

Mr. Speaker: Order.

Hon. Mr. Snow: Not for Renfrew, anyway.

Mr. Speaker, you will recall that on Tuesday afternoon I was able to make a statement advising of the signing of the contract in Santa Clara county, California, by the Urban Transportation Development Corp. for 30 double streetcars for the city of San Jose.

As I mentioned in the statement, there was an option on this tender, and I am pleased to advise the House that later on Tuesday afternoon the county of Santa Clara exercised that option, which now increases that order to 50 vehicles, with a total cost of almost \$49 million US, or approximately \$60 million Canadian.

ORAL QUESTIONS

FRENCH LANGUAGE RIGHTS

Mr. Peterson: Mr. Speaker, I have a question for the Premier. May I, first of all, welcome him back.

The Premier is no doubt aware of the discussions that have gone on in this province in the last two or three weeks. Indeed, he was involved somewhat before his trip. He is no doubt aware that the discussions have been going on in other provinces across the nation, and I refer specifically to Manitoba.

Given the fact that each of the parties in this Legislature has different historical positions, given the fact that numerous individuals, including senior ministers of the crown, have expressed their personal opinions on these matters, given what in my view was the triumph of leadership at the federal level when historic differences were put aside—there was an approach to those discussions on the basis of charity and accommodation and, indeed, I believe, a resolution that was good for this country—and given, in juxtaposition, the bitter partisan debate that has

developed in Manitoba at the same time, would the Premier seize this opportunity to call a meeting with the leader of the New Democratic Party (Mr. Rae) and myself to attempt to develop a position that would be acceptable to all parties in this Legislature and would advance the rights of francophones?

Hon. Mr. Davis: Mr. Speaker, I have never felt it the responsibility of the leader of the government, the leader of the Progressive Conservative Party, to get the leader of the community and the Liberal Party of Ontario, the party of the member for London Centre (Mr. Peterson), off the political hook.

I have followed very carefully the activities of the Leader of the Opposition on this important matter and if I were to express some confusion it would be an understatement. I understand the difficulty the Leader of the Opposition currently finds himself in with respect to this matter.

I am intrigued at the suggestion that I would convene a meeting involving himself and the leader of the New Democratic Party. I had a meeting once with the Leader of the Opposition on the trust company matter and we all know how that turned out.

I am always delighted to see the Leader of the Opposition on anything that would be productive for the people of this province. I could be facetious or somewhat sarcastic today and ask what position the Leader of the Opposition wishes to express at such a meeting. Is it his position as of the meeting? Is it his position as of the press conference? Is it the position of the party some weeks before that, or is it some other position that might perhaps emerge?

I gather the position of the Leader of the Opposition is that he agrees with what the government is currently doing, and if that is his position, then I see no need for a meeting or a resolution. If the member wishes to put in his name a resolution, which could be one very short sentence, "We, the Liberal Party of Ontario" —or whatever terminology he may wish to use—"endorse the policy of the present government of Ontario," then I can assure the Leader of the Opposition that I will prevail upon my colleagues to support unanimously that resolution.

I regret that the Leader of the Opposition wishes to prolong this as a matter. I can understand the difficulty he faces, but unless I see something more than I have seen to date, I just do not see any useful purpose in having a meeting. He knows what our policy is; he knows

what our position is. I sense from his press conference that he enthusiastically endorses it. If that is the case, then what is the need for a resolution?

Mr. Peterson: That is not the case. I hope the Premier will take the opportunity to reconsider his position.

2:20 p.m.

SUNCOR SHARE PURCHASE

Mr. Peterson: Mr. Speaker, I have a new question for the Premier, in the absence of the Minister of Energy (Mr. Andrewes).

The first minister will be aware that today is a very important anniversary in this House. It was two years ago to the day that the Premier stood in his place and announced triumphantly that Ontario taxpayers were going to purchase a 25 per cent interest in Suncor. He will be aware that he paid, at that point, \$49.77 a share on behalf of the Ontario taxpayers. For those 13-odd million shares he purchased, he spent \$650 million.

He will also be aware, I am sure, that last week I personally purchased 10 shares of Suncor at the price of \$15 a share. If he translates those figures out, the current market value of his holdings is \$195 million, bringing to the taxpayers of this province an unrealized loss in that purchase of \$455 million.

Is the Premier prepared to admit now that this was the single biggest financial mistake in the history of this province?

Hon. Mr. Davis: Mr. Speaker, I read with some interest the London Free Press story. I also read what Del Bell said in the London Free Press on a totally unrelated issue. I am sure the honourable member read that little excerpt as well. I will not read it to the House; I will save that for debate on some other occasion.

I notice that the Leader of the Opposition has been working through Mr. Gary Gallon—is that the correct pronunciation?—who is now a member of his staff and, according to the press story, a veteran of 10 years as a company analyst in British Columbia. I am just wondering whether the company he left got any draft choices in exchange for the transfer of his services. Did he purchase the shares for the member?

I noticed one or two other interesting quotes from this analyst who is now the member's employee: "The future of heavy oils for Canada does not look bright. Major oil companies are getting out of tar sands development because it cannot be performed economically." I may

have been out of touch a little bit; I confess this. My recollection, however, is that there is a rather significant undertaking proceeding in the heavy oil sands. My recollection is that Syncrude recently announced its intention of expanding its operation.

I have to confess to the Leader of the Opposition that when I was in the Far East there was a great deal of interest in the energy sector in Canada, primarily, obviously, in Alberta. There were many inquiries and great expectations with respect to the tar sands. Very few people who are knowledgeable in the field, other than Mr. Gallon, say anything other than that one of the great assets we have in this country happens to be the tar sands, which are geographically situated in our sister province.

I guess the Leader of the Opposition is taking his advice from Mr. Gallon, the former expert of 10 years' experience in British Columbia. I guess he was the one who obtained, perhaps from the member's father-in-law, the 10 shares. I am not sure where he got them.

I think it is fair to point out, Mr. Speaker, that if you review the analysts who probably have as much expertise as Mr. Gallon, perhaps have even more years' experience and perhaps have something less of a bias, you will find that the analysts who looked at this transaction when it was entered into said without hesitation that the value was there. One analyst from New York, as I recall, whose name escapes me, but who was not in the employ of the government of Ontario, Suncor or anyone else, indicated that Ontario had, in terms of the price paid at the time, transacted a deal that was probably slightly below market value.

I know this is a thing with the Leader of the Opposition. I know just a little bit about how the share transactions are done with 10 shares. I am not in a position personally to acquire these shares, under the conflict of interest rules and also because I do not have the additional cash to buy the 10 shares. I can assure the Leader of the Opposition, if one looked at this very objectively, which I know is asking too much, the government feels that value was, in fact, paid at the time of the transaction.

He will find that earnings in the past quarter are up, and while he may go out and buy another 10 shares tomorrow at \$15 over the counter or through the backdoor, or whatever way he acquired them, he may get them at that \$15 price again. I can only say to the honourable member that we do not accept his point of view as to its value and, with great respect, we do not

accept the point of view of Mr. Gallon, in spite of his 10 years of experience on the Vancouver Stock Exchange.

Mr. Peterson: I say to the Premier that I think he is very wise not to play the stock market because if he played the market on his own account as he plays with the taxpayers' money, he would be bankrupt today. That is not my opinion of the value of those shares; that is the market's opinion.

Is the Premier aware that in addition to the \$455-million unrealized loss on that share purchase there is a loss in carrying terms of \$113 million? That is the interest charges this government has paid out of pocket in the last year and a half, less the increase in earnings and dividends that have come out of that company. Is he aware that the real loss—both realized and unrealized—at this point, after a year and a half, is \$570 million? How can the government possibly purchase something for \$650 million a year and a half or so ago and lose \$570 million in a year and a half?

Surely even the Premier has to admit that is absolutely complete financial folly. If he wants me to bring Mr. Gallon out to tell him about that, I will.

Hon. Mr. Davis: I realize the Leader of the Opposition is sort of reiterating what Mr. Gallon probably has been trying to tell him in the last couple of days. I just wish Mr. Gallon would perhaps visit the establishment out there, talk to some people who are in the business and understand that the heavy oil business or the tar sands will continue to be developed. I think we are just very fortunate as a country that we have this great asset.

I find it very hard to understand why an employee of his—I emphasize of his—goes around talking in a negative fashion about one of the great potential resources this country happens to have, the tar sands. He may not like it, but I can assure the member there are a lot of people around the world who wish they had it. I would say to the Leader of the Opposition that he does not always look at this totally objectively. He singles out a particular matter—the share price he says he has established by the acquisition of this major shareholding.

I have to tell the member that out of many millions of shares, I think most market analysts would say the 10 shares he obtained at \$15 does not establish a market value. The member overlooks some of the very relevant things that have happened because of that purchase. I will not go through the list again of what has

happened with respect to the refinery in Sarnia. I could ask my colleague the Minister of the Environment (Mr. Brandt) to comment on it at some length, but I will not on this occasion because it would be an abuse of the question period, but it might be more relevant than the first question the Leader of the Opposition asked this afternoon.

I will not remind the member for St. Catharines (Mr. Bradley) that Niagara Structural Steel is busily providing material to the refinery in Sarnia and that it is supplying jobs to his constituents. I will not remind the member of the number. I will not tell the member for Hamilton Centre (Ms. Copps) how Crane and Westinghouse are in the process of supplying material to that refinery in Sarnia, providing many jobs to her constituents. I will not remind her of that.

I will not remind the member for Perth (Mr. Edighoffer) that Fram is also in the process of providing material to that refinery. I will not remind him of that or of the jobs that are involved. I will not tell the member for Erie (Mr. Haggerty) that Graham Manufacturing is in the process of providing material to the cracker.

If one wants to get in touch with the member for Niagara Falls (Mr. Kerrio), E. S. Fox is providing some of the pressure vessels. I will not remind any of them of that; or the member for Haldimand-Norfolk (Mr. G. I. Miller) that there is a firm in his constituency—he is not here today; oh, yes, he is—that is also providing materials. The member for Halton-Burlington (Mr. J. A. Reed) has three or four firms in his constituency supplying material to this firm, providing jobs. In the constituency of the member for Essex North (Mr. Ruston)—and there are several more on the list—I could demonstrate it is a positive economic plus in terms of employment and job creation in Ontario.

2:30 p.m.

Mr. Peterson: A final supplementary to the Premier: When he announced that purchase some two years ago, he said there were three motives for the purchase: one, to participate in the federal government's goal of increasing Canadian ownership of oil companies, which obviously he did; two, to give the province a window on decision-making in the oil industry—the Premier's window cost \$650 million; my window cost \$150; and, three, because he thinks the purchase is a good investment with large future profits.

Interjections.

Mr. Peterson: The Treasurer (Mr. Grossman) may want to listen to this. Surely the Premier has been so wrong in every regard on this matter that he should now have the—I was going to use the word “integrity,” but I will not use that—at least enough common decency and respect for the public taxpayers to get up and say: “This was a terrible mistake. We are sorry and we are going to try to extricate ourselves from this terrible situation as soon as we can.”

Hon. Mr. Davis: I could say something about windows, but I will not.

Mr. Speaker: I really did not hear a question. It was a statement.

Hon. Mr. Davis: Was it not a question?

Mr. Speaker: I did not hear a question.

Interjections.

Mr. Speaker: Did the member preface it? All right.

Hon. Mr. Davis: I am so tempted to say something about the opposition leader's windows, but I am still trying to adjust to them, so I will not.

The leader casually observed to one of my colleagues after his reclamation project that he could not beat us on the issues, so he is going to try sex appeal. I did an immediate poll of one and the advice I got from that person polled said, “If he is relying on sex appeal, he will be lucky if he wins London Centre.” That was a totally unbiased observer who made that observation.

Mr. Conway: Let us not be personal.

Hon. Mr. Davis: Not at all.

Mr. Conway: Stop the hypocritical lecturing to the rest of us when you come up with crap like that.

Mr. Speaker: Order, please. The interjection obviously was completely out of order.

Interjections.

Mr. Speaker: Order. I would have to ask the member for Renfrew North (Mr. Conway) to please withdraw the use of that word.

Mr. Conway: Mr. Speaker, I have no choice, notwithstanding the performance of this Premier, who lectured us about what we ought not to do. He comes back into this chamber and does immediately what he complains about in other people.

Mr. Speaker: Order.

Interjections.

Mr. Speaker: Order. The member is trying my patience.

Hon. Mr. Davis: The Leader of the Opposition makes personal observations about me outside this chamber. They never offend me. I know they are always in good fun and good spirit. If the member for Renfrew North does not have any sense of humour, I feel badly. His own leader does not take it seriously.

I would say to the Leader of the Opposition that relative to what was perhaps a question, I would just reiterate once again—I assume it was a question because somebody said it was a question—that the government made its investment. We still support the three objectives contained in that statement. If the Leader of the Opposition is opposed to the Canadianization of the resource sector in Canada, then he should say so. I would find that unfortunate, but he must disagree with that, and so be it.

I sense that he does not believe this government should be involved in the oil industry. That is a difference in philosophy, and I accept that. I find it rather strange, though, when I think back to the position of his former leader. In terms of the objectives of our investment, in terms of the economic activity it has created, the investment that is going on in the province, I would also say we are meeting the third objective as well.

FRENCH LANGUAGE RIGHTS

Mr. Rae: Mr. Speaker, I have a question of the Premier about the question of official languages and the question of French language rights in the province.

In the answer I heard from the Minister of Intergovernmental Affairs (Mr. Wells) to my questions on Tuesday, I am still not clear as to what is holding the government back from making what many Canadians and many Ontarians feel would be a real contribution to national unity.

I would like to ask the Premier, is it the government's position that it does not want to move towards entrenchment because it fears the consequences of entrenchment, or is it the position of the government that it does not want to do that because it fears the reaction that might or could emerge from some people in the community? Is it the legal consequences of entrenchment the government is worried about, or is it a political concern about the impact that kind of move might or might not have on the province?

Hon. Mr. Davis: Mr. Speaker, with respect, the leader of the New Democratic Party has asked a very reasonable question. I think it is

fair to state that there are differences, and legitimately understood differences I hope, between the New Democratic Party and the government of this province.

In all sincerity I still do not totally understand the position of the official opposition. I say that very advisedly. It is a matter that is of concern and has been of concern to the government for a number of years. I would point out that it was the leader of this government who insisted upon the inclusion within the Charter of Rights of the educational rights provision and prevailed on some other Premiers, I think with some success.

That was an Ontario initiative. When one is speaking about the preservation of a language or a culture, I have always felt that fundamental to any such policy of preservation or non-assimilation, education probably is more fundamental than anything else. That may be just a bias on my part, but I happen to believe it is true.

At the time of the discussions of the charter in Ottawa, I made it very clear that some in my own home province might have concerns about the inclusion. I know some other Canadian Premiers had reservations. The Premier of Quebec, for his own reasons, objected very strenuously to that being included in the charter. I hasten to point out that it was not, in my view, the inclusion of that particular section that precluded the Premier of Quebec from participating in the charter or the signing of that document.

Personally, I have not assessed any complexities from a legal standpoint as to the entrenchment of certain rights within the Canadian Constitution. I say to the leader of the New Democratic Party on this important matter for all Ontarians that this government has proceeded as it has with a steady and, I think, enlightened approach with respect to the provision of French-language services to the francophone minority of this province.

It is also important to point out that we live in a federal system where the policies and positions of the federal government can be, not different from, but where the policies of individual provinces need not reflect in their entirety the positions of the federal government. That is part of the nature of Canada. The leader of the New Democratic Party would argue for entrenchment.

I should point out that as a matter of policy this government is pursuing by way of statute something that is quite often overlooked in the Quebec press, and I feel badly about this, because there is always a tendency to concen-

trate on the things we are not doing and talk about entrenchment when they do not fully appreciate, in terms of the legal system, in terms of our educational system, that they are there by way of statute, which in this province has the same legal impact as if they were in the charter. That is something that sometimes is missed in terms of the Quebec press and perhaps in terms of the perception of our fellow Canadians living in that province.

2:40 p.m.

I say to the Leader of the Opposition, it is not a concern with respect to the "political backlash," if one wishes to use that terminology. It is a position taken by this government whereby we have accomplished a great deal in terms of provision of services with a minimum of difficulty and a minimum of controversy. That in and by itself is something of which the government takes not pride or satisfaction, but we feel we have moved ahead in these directions in a way that has been generally accepted.

That might not be the route the leader of the New Democratic Party would go—and I respect that; I do not quarrel with it—but that is the position of the government. In reading Hansard, I cannot recall exactly whether he too was calling for a meeting of the three. I would sense that with the position he has taken, the policy of the government and, I guess, a lack of appreciation on my part as to what the official opposition may or may not wish to do on that the subject, he would understand that a meeting of the three of us and a resolution at this point in time would not make a great deal of sense.

Mr. Rae: Mr. Speaker, I just say to the Premier, as far as I am concerned, that we are meeting right here. Our position is on the record; I think it is very clear. I do not think there is any need for us to meet anywhere else than in this Legislature with respect to this problem at this point.

Mr. Speaker: Question, please.

Mr. Rae: As I heard the Premier's answer, I heard him say he was not preoccupied with the problem of a reaction. I also heard him say earlier in his answer that he did not have any particular legal concerns with respect to the consequences of entrenchment.

Given those two facts as I heard them, does the Premier not appreciate the very real importance to the Franco-Ontarian minority and to French-speaking people across this country of rights and services being seen in this province not as something that is given by government in

response to claims or demands by a minority but as something that is recognized because of what it means to be a French-speaking Canadian by virtue of our history and the nature of our country?

Does the Premier not realize the potential consequences of refusing to move to the next logical step, which is to recognize as a matter of right the meaning of being a French-speaking citizen in Ontario and to see it as a matter of right and not as something that is being given by means of largess, or whatever one wants to call it, by the majority?

Does the Premier not perceive that there is a very real difference between those states? If he is not held back by those two things, what is it that is holding him back and what is holding the government back? I think there is a chance to make a breakthrough here and we are missing the opportunity.

Hon. Mr. Davis: Mr. Speaker, I do not think we are missing any opportunity. I would not use that phrase, and I sincerely mean that. I suggest to the leader of the New Democratic Party that I said—and it is true—that I am not preoccupied. As head of government, I have initiated certain policies on some occasions that have not been totally acceptable to large numbers of the public of this province. That is what being in government is about.

At the same time, I think it is fair to state that I do not regard what we have done as a Legislature in terms of the legislation we have passed, in terms of the Education Act—I can recall the former Minister of Education doing this in 1967, or whatever the date was, where we really moved the position of the elementary school system into the secondary school system of the province.

Just getting back to the problems we have in perception, I can recall not too many years ago—I guess three years ago—when we were discussing this matter at the Premiers' meeting in Montreal, I pointed out to the then and still Premier of Quebec that roughly 5.6 per cent of the population of Ontario—and I think I am right in these percentages—declared French as the mother tongue and 5.4 per cent of the children in the elementary and secondary school system were enjoying their education in the French language. I am not sure the Premier of Quebec really believed that until his own Minister of Education produced the documentation to show it was true.

I do not take any pride or satisfaction, because that is not my nature, but I think that as

a government we have moved on this difficult and sensitive matter in a way that is generally acceptable. I would say to any representatives of the francophone community, if they were here, that it is not a question of government dispensing largess or a question of reacting just to pressure; it is a question of establishing by statute within this province, within our area of competence with respect to jurisdiction, legislated and policy rights for the francophone minority. I think it has worked, on balance, very well.

Mr. Rae: I wonder whether the Premier might consider having a word with his colleague the Minister of Education (Miss Stephenson) about certain remarks she made in estimates on October 11 with regard to what she described as "vested interests" that "create a state of disunity and attempt to promote the illusion that at any given time on any given issue a local and well-organized minority is in fact a majority." She then went on to talk about not wanting Ontario to self-destruct like the ancient Greek and Roman civilizations because of the danger of fragmentation, and she said some of these groups are focusing on issues such as religion or language.

I wonder whether the Premier would undertake to try to get some clarification from the Minister of Education with respect to exactly what she meant by those remarks. There has been much talk about divisiveness and about the danger of making inflammatory statements that do not help understanding and tolerance within this province. Given the fact that the minister's remarks could well be subject to some real misinterpretation, which I am sure the Premier would not want to see happen, could he, in an attempt to move things along a bit in this matter, try to get some clarification of exactly what she was talking about when she made those references?

Hon. Mr. Davis: I would only say that if the leader of the New Democratic Party has some concerns, I am sure the Minister of Education will be delighted to reply to a question directed to her. In my rather long relationship with the Minister of Education, the relationship being of a political nature, the minister has always followed a policy of endeavouring to bring people together to achieve a common objective. I have never found her to be encouraging any divisiveness or any unsettling circumstance within society here in Ontario. She has some strong

views on some issues and, of course, she is right in those views.

2:50 p.m.

DARLINGTON NUCLEAR PLANT

Mr. Rae: Mr. Speaker, my new question is also for the Premier, and it concerns Ontario Hydro's plans to carry on with the construction of the Darlington nuclear reactor at a cost of about \$11.7 billion. Given the fact that the projections from Ontario Hydro presented to the Ontario Energy Board last spring show that Hydro's surplus of electricity will be doubled over the next 10 years, and given the fact that, according to Hydro's own figures, if they cancelled Darlington it would save \$2.7 billion on the hydro rates before 1990, can the Premier explain why the government is still pressing ahead with this project, which is entirely unnecessary and simply too expensive for the province at present?

Hon. Mr. Davis: Mr. Speaker, I will go back in history a little again. I can recall at the first ministers' meeting on the economy two meetings ago—that goes back a while now, because the first minister has not held one recently—there was a different Premier in Saskatchewan. That very distinguished gentleman, for whom I had great respect and with whom I differed on a number of issues, was urging upon all of us major capital works programs to create employment in the energy field, for example, where investments made now would pay dividends, not only in terms of employment but also in terms of security of energy supply five or 10 years down the road.

I will get Allan Blakeney to send the honourable member a copy of his submission to the first ministers' meeting because, while he did not have Darlington in there, I am sure he had some pet project at home in Saskatchewan. There is no question that Darlington fell into the same sort of classification.

I would say to the leader of the New Democratic Party that it is providing economic activity. Since he does not have many members any more from the ridings where some of the activity is going on, I can understand why he wishes to have Hydro cancel it. My only advice to him would be to go to all the subtrades, all the suppliers, all those men and women who are gainfully employed today producing materials for Darlington and see whether he can get them to support his point of view.

Mr. Rae: I must confess I had no idea that Allan Blakeney was personally responsible for

the construction of Darlington. That is a new piece of information, entirely and novelly expressed by the Premier. I will send it to Mr. Blakeney and ask him to confirm whether it is true that he is somehow the godfather of this project or a subcontractor of some kind. I do not know what relationship the Premier is attempting to establish.

Mr. Speaker: Question, please.

Mr. Rae: I simply say to the Premier, if he wants to have an argument about jobs, it is costing \$116,947 at Darlington to create one person-year of employment. That is a pretty expensive way to create jobs.

For the same amount of money, that is, \$1 billion at Darlington creating 8,550 jobs—and I would like to ask the Premier to comment on this—the government could be building 5,000 senior housing units, constructing 10,000 new co-op units, providing direct grant assistance for renovation and repair of existing housing, establishing 2,000 new beds and 25 new nonprofit nursing homes, providing 10,000 new fully subsidized child care spaces, establishing a homemaker program worthy of the name and accelerating capital works for municipalities.

He could be doing all those things, creating 67,200 jobs instead of 8,550 jobs, and he would not be creating the energy nightmare for the 1990s that he is creating in going ahead with Darlington.

Hon. Mr. Davis: I am not sure that was the view held by the professor from York who is no longer a member of the NDP caucus—

Mr. Rae: Yes, it is.

Hon. Mr. Davis: Not totally. There were some days in here when it was almost obvious to me that he was in support of Darlington, but I know he is no longer here. I know the leader of the NDP has a right to have a different point of view. I assure him that Mr. Blakeney would not consider himself to be the godfather of Darlington, but I point out to the leader of the NDP that it is important to the economic future of this province that we have an assured supply of electrical energy.

I also point out to him that Ontario Hydro has been fairly capable at marketing its power. Even with the projections before the Ontario Energy Board relative to other power producers in North America of a like nature, Ontario Hydro's rates—and this is where it is at—are still lower than those of all the competing jurisdictions. They are lower than those of Michigan, Ohio, Pennsylvania, New York and Illinois—I will not

go any further than that—and they will continue to be lower right into the 1990s. I know the member would like to stop the world and terminate Darlington, but that is not the government's view.

Mr. Kerrio: Mr. Speaker, would the Premier tell us whether this would not be the time to reassess the nuclear option as it relates to Darlington and take a look at the other options because of the fact that we do not know what it is going to cost to decommission nuclear plants and we still do not know what to do with the spent fuel? Given the problems of Pickering, there is a question now about the lifespan of nuclear plants.

Mr. Leader, do you not think it is time you took another good look at the options in Ontario to give the citizens of Ontario a little more meaningful alternative that could be cheaper and, in the long run, much better, as has been proved with the hydraulic system at the great city of Niagara Falls?

Hon. Mr. Davis: Mr. Speaker, I just noticed a small slip in the question from the member for Niagara Falls when he referred to me as "Mr. Leader" rather than as the Premier. Is he thinking of coming across the floor?

Interjections.

Hon. Mr. Grossman: Not so fast. Let us take our choice.

Mr. Speaker: Now for the question, please.

Hon. Mr. Davis: I think one should analyse very carefully what the honourable member has asked. He asked whether Hydro should not take a look at the other options. I am not an expert in the field, but the other options, as I recall them, really relate to the burning of natural gas which, I think in a country such as ours and relative to our success with the nuclear system, is not a credible option. I think it would be a good option for people in the Far East, where they have a great surplus and no way of transporting it, to move to that instead of coal. The other option, of course, is oil.

I guess what the leader—I nearly made my friend the leader—

Interjection.

Hon. Mr. Davis: If the member for Niagara Falls is saying that rather than Darlington we should expand Nanticoke, Lakeview, Lambton, or build a coal-fired plant, where one then has small problems like acid precipitation, plus the importation of coal and not having a handle on

fuel costs, I do not regard that as being a better option.

The other option, of course, is oil. I think we all know that is not a good option.

Then one moves to the use of hydraulics for the generation of electrical energy. While the member has no trouble convincing me this is the best form for the production of electrical energy, the only problem we have is that, unfortunately, we do not have another Niagara Falls.

If the member for Niagara Falls wants to create another Niagara Falls somewhere for us at no cost to the taxpayers, I will encourage Ontario Hydro to use that resource for the generation of electrical energy. The reality of it is that there is not one; so one gets down to the use of nuclear, the use of oil, the use of gas or the use of coal. I think the decision of Ontario Hydro to move to 40 per cent of generating capacity makes great sense.

Mr. J. A. Reed: On a point of privilege, Mr. Speaker: If the Premier dismisses the hydraulic options in such a cavalier manner, he is really misleading the House—

Mr. Speaker: Order. Will the honourable member please resume his seat? With all respect, that is not a point of privilege.

Mr. Rae: Mr. Speaker, for the information of the Premier, the nuclear conversion, as was described by the Minister of Energy (Mr. Andrewes) and as has been described by Hydro, will make Ontario Hydro 70 per cent nuclear-dependent in 10 years' time, not 40 per cent.

Given the mothballing at the Wesleyville, R. L. Hearn, J. Clark Keith, Lennoxville, Thunder Bay, Lakeview and Atikokan generating stations, and with Atikokan generating station virtually mothballed two years after it was going to be commissioned, who has the mothball subcontract from Ontario Hydro?

Hon. Mr. Davis: Mr. Speaker, I will look into that very important question for the leader of the New Democratic Party because I know he is vitally interested in that.

As he went through all the plants, my recollection was that the contract for mothballing, if they were using mothballs, would be very limited in nature. I know that is a burning issue with the honourable member and I will have my limited research staff look into it and report back to him probably on the second Tuesday of next week.

3 p.m.

Mr. Riddell: Just before I pose my question, Mr. Speaker, I think I should draw to your attention that three quarters of this question period has been taken up by the Premier's ramblings, leaving very little time for the rest of the members.

Mr. Speaker: I am quite well aware of that.

FARM STABILIZATION PROGRAM

Mr. Riddell: Mr. Speaker, my question is to the Minister of Agriculture and Food.

Throughout my travels in Ontario while serving on the task force set up by my leader, and meeting, as recently as yesterday, with such prominent, long-standing and efficient beef producers as Bill Davis and Jim Cook of Bruce county, I and my colleagues have learned only too well that the red meat industry in this province is in desperate financial straits and fast heading for disaster, owing in large measure to this government's inattention and procrastination.

In his travels throughout Ontario, why has the minister not learned the very same lesson? Why is he prepared to let this government tear down its beef industry while other provinces are busy building up theirs? Let me give a couple of examples. Quebec is subsidizing cow-calf operators to the tune of \$191 and feedlot operators to the tune of \$168. Saskatchewan has an equally generous program for its beef producers.

When is the minister going to stop talking about a national stabilization program, as he has done over the past two years, and start putting into effect immediately a program retroactive to the last half of 1983 so that our beef producers can overcome the loss they are encountering of \$100 to \$150 per head of finished cattle marketed? When is he going to act and give those beef producers the attention they need?

Hon. Mr. Timbrell: Mr. Speaker, I am pleased to tell the honourable member that I too meet with a lot of producers. In fact, yesterday after I participated in the opening of the new hospital in Chesley, I met with about eight or 10 cattlemen in the Bruce county area equally as prominent as the two gentlemen to whom the member referred. I was pleased to tell them and I am pleased to tell him that last Thursday, at a meeting of the deputy ministers of agriculture of Canada, Ontario, Manitoba, Saskatchewan and Alberta, we got an agreement on a tripartite stabilization program for the red meat industry.

I have asked Mr. Whelan to call a meeting of the ministers from the provinces and himself as soon as possible in order that the ministers can

put their seal of approval on the plan and have it implemented as soon as possible.

An important feature of the agreement is something I have sought from the outset; namely, an agreement by the governments of Manitoba and Saskatchewan that they will phase out their programs so that the level of support from government across the four provinces will be uniform.

I should also point out that, as regards the beef industry, we four provinces represent about 90 per cent of the beef production in this country. So while, unfortunately, we do not have all 10 provinces participating at this point—we certainly hope we will have more later on—the four of us do represent, for all intents and purposes, the Canadian beef industry.

In my view, this plan could have been in place a long time ago. I will not take the time of this House to enter into recrimination or to say where the holdups were. Suffice to say that I am pleased those holdups appear now to be all gone and that we can proceed with the stabilization program.

Mr. Riddell: The beef producers of this province are sick and tired of listening to the minister pass the blame on to Ottawa or Ottawa pass the blame on to the province. They want to keep the bankers off their backs and they have to have an announcement immediately about some kind of a program which, again, has to be retroactive over the last half of 1983.

If we are going to hear some announcement very soon about a national farm stabilization program, will such a program be made retroactive at least for the last half of 1983? Or, if we do not see a national stabilization program come into effect immediately, can we expect some kind of subsidy from this government to keep our beef producers in business until this stabilization program kicks in?

Finally, is the minister in agreement with his deputy, who, when he was approached at the international ploughing match in the Ottawa area by a group of beef producers expressing their concerns to him, told them half of the beef producers in Ontario have to go? Is the reason the minister has been so inattentive to the problems of the farmers that he believes half the beef producers in this province have to go?

Hon. Mr. Timbrell: Without sounding self-serving to myself, my ministry or my government I think it is fair to say, as any objective observer of the scene would attest, that we would not have the agreement that was reached last Thursday, we would not be on the verge of

introducing this significant new program, in fact my ministry, my government and I had not taken the leadership role we took a year and a half ago. We would still be hearing the federal minister talk about red meat strategy, which I do not believe even exists and which nobody has ever seen. That is all we would have. Instead, we took concrete steps to develop the stabilization proposal and to keep it alive against very significant obstacles coming from certain other places.

I agree with the member. There is absolutely nothing to be gained for Ontario agriculture, for our Ontario farmers or for anybody involved in agriculture in this country in going on with a finger-pointing exercise between the levels of government. What we try to do is to keep the issue alive and to keep the demands of the industry current and before everyone involved, and we have been successful. It may very well bother the member that we have been successful.

Mr. Riddell: But the beef producers are dropping off. What about the retroactivity of the program?

Hon. Mr. Timbrell: I am just about to address that, if the member will listen.

In discussing the matter with producers across the province for the last several months, I have indicated to them that in my view a retroactive payment is not in the cards. The other participants, in my view, based on our discussions, will not agree to that. What is more, I think—and I said this to the group I met yesterday and to various other groups I have met around the province in the cattle industry—that if we were to introduce an ad hoc payment at this time, Ontario would be accused of bargaining in bad faith and we would probably lose the stabilization program.

It does not give me any pleasure to have to say this to people, but I am very frank and very straightforward with them. I also add that this kind of subsidy, as the member has referred to it, inasmuch as we are dealing with a North American industry here—the beef industry, I know he would agree, is a North American industry—would probably lead us into a head-on confrontation with our American neighbours, who are significant customers, not so much for beef as for pork products from this province.

Mr. Swart: Mr. Speaker, I am sure we can be forgiven on this side of the House for having a bit of scepticism about the implementation of any plan when the pork producers and the beef

producers are in the situation now where they do not have any money to make the voluntary contributions to get into the plan.

Is it not true that to date the minister has used only \$24 million out of the much-vaunted \$80-million Ontario farm adjustment assistance program, and the total payments out of that program will not be more than \$35 million by the end of the program—end of this year for application, end of next year for payment?

Why does the minister not take some responsibility for the serious position the farmers are in and find some method to get the cash out to them now from that program, to meet some of their needs and to keep many more of them from going bankrupt?

Hon. Mr. Timbrell: Mr. Speaker, first of all I would remind the honourable member—I am sure if it were the reverse, he would be standing up to point it out—that farm bankruptcies in this province this year to date are down 14 per cent. They are down, not up. Nationally they are up, but in Ontario they are down 14 per cent.

I will not claim that OFAAP and the other programs of our government are entirely responsible, but I do not think there is any question that they have helped countless farmers in this province over a very difficult period.

To date, yes, we have spent about \$24 million on OFAAP between interest rate rebates and the payment of certain guarantees and interest deferral. When we discussed this matter in estimates in May and June, I pointed out to the member that when the program was introduced almost two years ago interest rates were at record highs. We had no way of knowing when and by how much they would come down, and of course in the calendar year 1983 they have come down substantially, so the original estimate was based on certain assumptions which have been proved incorrect.

3:10 p.m.

I also pointed out that probably in future, quite frankly, if I were introducing this kind of a program again, I would budget \$1, because when we start that kind of program we just do not know how the economy is going to change, up or down, and the impact on the demand for the budget.

I would also point out that we have initiated a number of other proposals. I never cease to be amazed that the opposition never talks about the proposals we made on agribonds, the proposals we made for better income tax treatment of small and part-time farmers and all the other

things we do. They might better spend some of their time talking about—

Mr. Speaker: That is a very complete answer. Thank you very much.

SUDBURY HOUSING

Mr. Laughren: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. The minister will recall that he received correspondence going back as far as June from the regional municipality of Sudbury and from me and my colleague the member for Sudbury East (Mr. Martel) concerning the housing crisis in the Sudbury basin. One of the reasons we are all so concerned is that a committee called the Help committee in Sudbury was established to look into the problem of housing, especially for low- and middle-income people in the Sudbury area.

That committee consists of such luminaries as the Most Rev. Dionne, Auxiliary Bishop; Rev. Redmond Conroy, president of Sudbury and District Ministerial Association; Roland Proulx, manager of Employment and Immigration Canada; Dr. Albert Cecutti of Falconbridge; Paul Reid, past president of the chamber of commerce, and it goes on and on, including some civil servants from the Ministry of Community and Social Services.

Does the minister understand the seriousness of the problem in the Sudbury area, and how does he intend to respond to the telegram which he received this morning from the chairman of the regional municipality of Sudbury, in which the chairman warns that a housing crisis in the Sudbury basin is about to erupt? When is he going to do something about the problem?

Hon. Mr. Bennett: Mr. Speaker, I did receive a telegram from the chairman of the regional municipality of Sudbury in relationship to the problem he perceives in the area of housing. Let us go back just for a moment or two about some of the letters I have received from the members in that area, including the member for the Conservative party.

I note that the members have misinterpreted, for their own purposes, the facts being described by Mr. LeBlanc, the federal minister reporting for housing, and my own ministry. Very clearly, I indicated we had 2,160 units allocated to Ontario for the development of nonprofit housing under the municipal nonprofit corporations. When they wrote to Mr. LeBlanc, the federal minister responded that there had been 7,000 units allocated in Ontario.

I trust the members will read into what Mr.

LeBlanc was saying that the 7,000 units included the private nonprofits and the co-ops. The allocation of those units is entirely at the discretion of Mr. LeBlanc, not the government or the Ministry of Housing for Ontario.

Mr. McClellan: You should have your own program.

Hon. Mr. Bennett: I beg your pardon?

Mr. Speaker: Never mind the interjection.

Hon. Mr. Bennett: There are a lot of things we should have and I suppose it would come down to more money from the taxpayers to try to make some of these programs more complete. We have looked at the supply of housing in this province as well as in the other provinces and it is a co-operative deal between the provincial and federal governments, not singularly the provincial government, neither here nor in any of the other provinces.

Coming down to the telegram I received from the chairman of the Sudbury district, I am not yet completely aware of exactly what type of housing the chairman is looking for as to whether we are talking about emergency housing, or whether we are talking about housing supplied under a rent supplement program. We have indicated to him that we are prepared to get involved in 10 to 14 units under the rent supplement program in the Sudbury area.

But let me remind this House that we have already advertised in the Sudbury area for applicants from the private sector to make those units available. There have been no takers, no offers. I have told the chairman of the region of Sudbury that if he can come up with some, and he says he can, we are prepared to try to find the funding and the allocations from the federal government for 10, 12 or 14 units.

Mr. Martel: I will not go over the figures the minister and Mr. LeBlanc tossed around. Is the minister aware that Canada Mortgage and Housing Corp. is currently sitting on sufficient numbers of units to meet the needs of those people? Would the minister not get involved in a rental supplement program without having to build any units, so that we can get the people who are currently living in motels and hotels out of those into units that are vacant now and owned by the federal government?

Hon. Mr. Bennett: Mr. Speaker, if we can build units, fine. That helps the construction industry and the opportunity for employment in Ontario, in particular in the Sudbury area, which is needed. On the other hand, if there are units owned by CMHC that have been taken

back as a result of some of the federal government housing programs that have failed, then obviously they would be units that could very well come under the rent supplement program.

Let me suggest there is a federal minister from that area, who has been asked by the chairman and others, and who has not yet been able to respond in a positive way—from her government—on supplying the units under the rent supplement program.

I have indicated they are CMHC units, not Ontario units. They must have them available for the rent supplement program through which we will participate.

Mr. Laughren: Mr. Speaker, on a point of privilege: I seek your guidance on this, but I believe that under the rules of the House one member is not allowed to attribute motives to another member in this chamber. I would ask your interpretation as to whether or not the Minister of Municipal Affairs and Housing was attributing motives when he said that we misinterpreted for our own purposes. Do you not think that is attributing motive?

Mr. Speaker: I will undertake to review Hansard and report back.

LEGISLATIVE PAGE

Mr. Martel: Mr. Speaker, on a point of privilege: Yesterday, when you introduced the pages you inadvertently indicated that Genevieve Gordon was from Sudbury, when in fact she is from Sudbury East.

Mr. Speaker: Let me correct the understanding of the honourable member. I can tell him, and he can have this list, that it is printed quite clearly as being Sudbury. However, I do accept his correction.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. Rae: Mr. Speaker, it is my privilege to present to the House the following petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which reads:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act, because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar

effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition contains five pages which I humbly submit to you.

Mr. T. P. Reid: Mr. Speaker, I have a similar petition. I will not read the preamble. However, it is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The above petition is signed by 74 teachers from the Fort Frances High School, Westfort High School, Rainy River High School—by the way, 100 per cent of the teachers there—and 15 teachers from the Ignace Secondary School.

Ms. Bryden: Mr. Speaker, I also have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It is in the same form as was read by my leader, the member for York South (Mr. Rae). It is signed by 24 teachers from W. J. McCordic School in my riding in the city of Toronto, and I support it.

Mr. Riddell: Mr. Speaker, I have a similar petition and I believe that I will read this one in the hope that the Premier (Mr. Davis) and the New Democratic Party may be listening, in the event that they may see fit to support it.

3:20 p.m.

The petition is to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act, because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 133 teachers from

the Goderich District Collegiate Institute, Seaforth District High School, Central Huron Secondary School and South Huron Secondary School.

I have a petition in a similar vein signed by the 55 teachers from the F. E. Madill Secondary School in Wingham.

Mr. Allen: Mr. Speaker, I have a petition in a similar vein to that which has just been read to you. It is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. It is sent forward from the 39 teachers of Agnes Macphail and Ainslie Wood secondary schools, and also a second petition which is from 122 teachers from Delta Collegiate, Hamilton Collegiate Institute, Parkview and Scott Park collegiates in Hamilton.

I support their petition and have always done so in this particular issue.

Mr. McGuigan: Mr. Speaker, similar to other members I have a petition from the teachers of the West Elgin District High School signed by 31 teachers.

"We, the undersigned, petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

Mr. Cassidy: Mr. Speaker, I have a petition signed by about 250 teachers in the Ottawa area, from the High School of Commerce, Ottawa Technical High School, Brookfield High School, Lisgar Collegiate Institute, Ridgemont High School, Borden High School, Fisher Heights Elementary School and Carson Grove Elementary School.

I will not read it all, but it says in conclusion: "We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

Mr. Speaker, I support the petition and would like to submit it to you. I would hope that some of the petitions coming from Conservative members of the Legislature might also be presented in this chamber. I have not seen that happen yet.

Mr. Boudria: Mr. Speaker, I have a similar petition signed by 89 teachers from the following schools: Hawkesbury District High School, Vankleek Hill Collegiate Institute, Plantagenet High School, Casselman Secondary School and Rockland Secondary School.

I have another petition signed by 64 people. This one comes from Queenswood Public School, Arlene Woods Elementary School, Carson Grove

Elementary School, Riverview Public School and Dunning Faubert School.

Mr. Breagh: Mr. Speaker, I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act, because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 235 teachers from the following schools in Oshawa. Oshawa Central Collegiate Institute, R. S. McLaughlin Collegiate and Vocational Institute, G. L. Roberts Collegiate and Vocational Institute, Dr. F. J. Donevan Collegiate Institute, General Vanier Secondary School and board offices.

Mr. Epp: Mr. Speaker, in the absence of my colleague the member for Kitchener-Wilmot (Mr. Sweeney), who unfortunately cannot be here today, I have a petition that was sent to him. It is similar to the other petitions that have been read and it is signed by 44 teachers from the Waterloo-Oxford District Secondary School.

Mr. Cooke: Mr. Speaker, I have a petition similar to all the others that have been presented with regard to Bill 179 and the restoration of free collective bargaining, from teachers at Herman, Riverside and Shawnee secondary schools in Windsor-Riverside.

Mr. Kerrio: Mr. Speaker, I beg leave to present a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act, because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by 51 teachers from Westlane Secondary School in Niagara Falls.

Mr. Elston: Mr. Speaker, I have a petition to the same extent as the petition presented by my colleague the member for Niagara Falls (Mr. Kerrio). It is signed by 133 teachers from Saugeen District Secondary School, Port Elgin, Kincardine-Ripley District Secondary School, Kincardine, and Walkerton District Secondary School in Walkerton.

Mr. Spensieri: Mr. Speaker, this is a petition similar in form and substance to the ones which have preceded it. It is from 290 teachers from the city of North York, from Beverley Heights Junior High School, Elia Junior High School, Emery Collegiate and Pierre Laporte Junior High School.

Mr. Worton: Mr. Speaker, I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which petitions the Ontario Legislature to restore free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act.

It is signed by 150 teachers of the Guelph elementary school.

Mr. G. I. Miller: Mr. Speaker, I too have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to restore free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by nine additional names that I will add to the petition I presented on Tuesday.

Mr. Nixon: Mr. Speaker, I have a petition in similar terms calling for the restoration of free collective bargaining rights, signed by 48 teachers from Waterford District High School and 37 teachers from Burford and Paris district high schools.

Mr. Stokes: Mr. Speaker, I have a similar petition, signed by 30 teachers from the Nipigon Red Rock District High School, from 45 teachers from the Geraldton Composite School and Régionale Secondaire du Nord-Ouest, 18 teachers from Manitouwadge High School and 40 teachers from the Lake Superior High School, which includes Manitouwadge, Marathon, Terrace Bay and Schreiber.

3:30 p.m.

Mr. Martel: Mr. Speaker, after hearing all this and the member for Huron-Middlesex (Mr. Riddell), I can hardly wait for the debate on the bill to see where he will be.

I have a petition. I should read the whole thing, but I will not. It comes from two schools located in the great riding of Sudbury, one called R. L. Beattie School and the other one Gatchell Senior Public School, and it is signed by 55 teachers who want some support in beating down the government on its present legislation.

Mr. Wildman: Mr. Speaker, I have two petitions. First is to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights, and whereas we believe that an extension of the act or measures which would have similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms, we petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The above petition is signed by 28 teachers from the Michipicoten High School in Wawa, Ontario.

WELFARE PAYMENTS

Mr. Wildman: I also have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario and, in particular, to the Minister of Community and Social Services (Mr. Drea)

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That they present a bill before the House to amend the General Welfare Act to permit an increase to the maximum benefits payable and, further, that they review the existing act and remove the anomalies that have surfaced during the present economic recession."

This petition is signed by 3,920 people from Sault Ste. Marie and area who are concerned about the effects of the current recession on people whose unemployment insurance benefits have run out and who are unable to get welfare.

Mr. Speaker: I must point out to the member for Algoma that the last petition is out of order because it refers to the expenditure of money.

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Mr. Charlton: Mr. Speaker, I have a petition which is not similar to the others that have been introduced this afternoon. It is addressed to the Lieutenant Governor and the Legislative Assembly, as follows:

"We, the undersigned residents from Hamilton-Wentworth region, petition the government of Ontario to amend the Regional Municipality of Hamilton-Wentworth Act to provide for the direct election of the regional chairman at large.

"We further petition that the said amendments be made at a time appropriate to provide for the direct election of the regional chairman in the municipal election scheduled for 1985."

The petition is signed by 3,716 residents of Hamilton-Wentworth and I support it.

Mr. Allen: I am sure the honourable Speaker will appreciate the efforts of Hamilton to provide some variety for his ears this afternoon. I too have a petition on another subject.

"We, the undersigned residents of Hamilton-Wentworth region, petition the government of Ontario to amend the Regional Municipality of Hamilton-Wentworth Act to provide for the direct election of the regional chairman at large.

"We further petition that the said amendment be made at a time appropriate to provide for the direct election of the regional chairman in the municipal election scheduled for 1985."

This petition is signed by 4,019 residents of Hamilton-Wentworth.

PROPOSED HYDRO LINE

Mr. Eakins: Mr. Speaker, I am pleased to present to this House over 500 petitions on behalf of the affected area citizens expressing their opposition to Ontario Hydro's plan to run a high-tension electrical line from Bruce to Essa.

I support their request that opportunity be made available for further input and hearings.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Wells moved that the Clerk conduct a new ballot for private members' public business so that there will be no interruption between the completion of the current order of precedence and the debate on the first balloted name in the new order of precedence.

Motion agreed to.

COMMITTEE SUBSTITUTIONS

Hon. Mr. Wells moved that Mr. Boudria replace Mr. Wrye on the standing committee on members' services.

Motion agreed to.

HOUSE SITTINGS

Hon. Mr. Wells moved that the House sit in the chamber on Wednesday, November 9, 1983, with private members' public business to be taken up in the afternoon and government business in the evening, and that when the House adjourns on November 9, it stands adjourned until Monday, November 14.

Motion agreed to.

INTRODUCTION OF BILLS

MORTGAGES AMENDMENT ACT

Mr. Cooke moved, seconded by Mr. Swart, first reading of Bill 89, An Act to amend the Mortgages Act.

Motion agreed to.

Mr. Cooke: Mr. Speaker, the purpose of this bill is to prevent a mortgagee who has repossessed or sold a mortgaged property from suing the mortgagor for the amount of the mortgage or for the difference between the amount of the mortgage and the sale price.

The purpose of this bill is obvious. In Windsor many people have lost their homes and, because the market has declined, mortgage insurance companies and mortgage companies have sued the original owners of the property for thousands of dollars.

SMYTH TOWN PLOT LAND ACT

Mr. Barlow moved, on behalf of Mr. Havrot, seconded by Mr. Piché, first reading of Bill Pr33, An Act respecting certain land in the town plot of Smyth in the district of Nipissing.

Motion agreed to.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Swart moved, seconded by Mr. Charlton, that pursuant to standing order 34(a), the ordinary business of the House be set aside to discuss a matter of urgent public importance, that being the report of the hearing officers on the Niagara Escarpment plan and the subsequent final proposed plan as prepared by the Niagara Escarpment Commission, wherein the protection for the Beaver Valley will be decimated, and in many other ways the purpose of the Niagara Escarpment Planning and Devel-

opment Act to maintain the Niagara Escarpment and the land in its vicinity substantially as a continuous natural environment will be undermined.

Mr. Speaker: I would like to take this opportunity to advise all members that this motion was received in the office in time at 9:35 a.m. I would be pleased to hear from the member why he thinks the ordinary business of the House should be set aside.

Mr. Swart: Mr. Speaker, I am sure we are all aware that there has been a \$10-million, 10-year process leading to the final step which is now confronting the government. The alleged proposal set out in the 1973 Planning and Development Act was to maintain the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment and to ensure that only such development occurs as is compatible with the natural environment.

In the intervening 10 years since the act was passed, the escarpment has become a slippery slope on which the hopes of the preservationist, the naturalist and the public have skidded downhill almost to the bottom.

There are many examples of what has happened. First, more than 90 per cent of the development applications have been approved over those 10 years. One of those which was not approved was the famous Cantrakon case which the minister reversed, much to his sorrow later on. The planning area has been reduced to 37 per cent of its original size, and if the hearing officers get their way, it will be reduced to 32 per cent.

Last year the government tried to remove the four members of the Niagara Escarpment Commission who were the strongest preservationists. All in all the proposed plan was weaker than the draft plan and even that weak plan has been totally destroyed by the report of the hearing officers. The Niagara Escarpment Commission has now backed down further in its proposal, especially in its stunning reversal on the Epping Commons and similar development in the Beaver Valley.

3:40 p.m.

In the events leading up to the final proposals, there are, I suggest, some profound issues that should be raised and some serious questions that should be asked. In the Beaver Valley case, why did the Niagara Escarpment Commission do the about face without giving reasons, and at the final commission meeting, where some of the preservationists on the Niagara Escarpment

Commission were not present and where no debate took place on the issue? Why was there funding of the study by the Ministry of Municipal Affairs and Housing to use against the Niagara Escarpment Commission in the case of the Beaver Valley? All of this has been documented by the Beaver Valley Heritage Society.

The principals in the Epping Commons matter, which should be investigated, are well-known Conservatives, and the firm of Goodman and Goodman is the lawyers for those firms.

Did the hearing officers' report contravene the Niagara Escarpment Planning and Development Act, as charged by the Canadian Environmental Law Association? That is another question that should be answered. Yet another is the Steed and Evans pits and quarries, 125 acres of the finest land in the nation—fruit land, the headwaters of the only spring stream, one of two in all of southern Ontario. Why did the hearing officers decide that they should not be given protection?

Then there is the Speyside pit, a quarry of some 600 acres, almost on the face of the escarpment, a recharge area for the local streams, which has also been given permission, if the hearing officers' report is adopted, to extract aggregate.

The debate is needed because the plan has strayed so far from the purpose and the objectives of the act, because there are so many unanswered questions and because we need fresh air on this whole issue. We have asked for this debate to be arranged by the Provincial Secretary for Resources Development (Mr. Sterling) through his House leader in a normal way, and we have no indication that they are willing to do so in any other way except by special debate.

There is no question that we need a debate. But the basis on which you must decide, Mr. Speaker, is whether there is an emergency need for it. I submit that there is. The situation now is that we could be presented with a fait accompli any day. Even later today or tomorrow there could be an announcement from the government that it has approved the plan as prepared by the hearing officers. The minister has had the report for more than three months. There is no requirement to let anyone know when he submits the plan to cabinet for approval and no requirement for cabinet to make any public announcement before they finalize it.

The minister shakes his head. I have a copy of the act here, and if he accepts the report of the hearing officers and submits that report, there is

no requirement. Therefore, this thing could be decided behind the scenes without any members of this Legislature having the opportunity to debate this report.

That is the worst scenario, but the minister has not committed himself to having it debated in the House, and we can be forgiven for being a bit sceptical about what it may take, given the past practices—

The Deputy Speaker: Time.

Mr. Swart: It is a belief of those of us in this party and, I suggest, most members that because the final proposals are in such—

The Deputy Speaker: Order. The member's time has expired.

Mr. J. A. Reed: Mr. Speaker, we rise in support of this motion for debate. While there may be some argument as to its emergency nature and its timing at the present time, after some due consideration we felt it was probably beneficial to get certain recommendations or suggestions from the opposition on the record before the minister makes his final decision.

Our party has been concerned about the Niagara Escarpment for a number of years. We stood in opposition to the first two plans for their various contents, and when the final recommendations of the Niagara Escarpment Commission were made public, we went on record as saying we felt it was a victory for common sense and good stewardship.

But we did have some reservations and we have some concerns. The primary concern that we are going to carry into this debate, should the Speaker grant it, is the debate over the Beaver Valley issue, the Epping Commons. We have some suggestions to put forward which we feel will address the concerns of the good citizens who represent the Beaver Valley Heritage Society and will address the concerns, we think, of those on the Niagara Escarpment Commission who turned down that proposal for the development known as Epping Commons in the past.

We are going to suggest to the minister in the debate, if he accepts the recommendations of the Niagara Escarpment Commission, as we hope he will, as opposed to those of the hearing officers, that will see to it that a development of the magnitude of the nature of the one called Epping Commons be subjected to environmental assessment. That is not a common practice for private development, but it is a minister's prerogative to be able to do that under the legislation. Perhaps the minister would check

that to make sure it can be done, but we believe it can be.

There are also some other alternatives. The issue of major development on the escarpment could be referred to standing committee and it could become a matter of policy, if it is considered to be a superior way of handling the issue. Our minds are wide open here, but we do have those concerns.

We would also like to go on record as fundamentally supporting the Niagara Escarpment Commission's proposals. We feel that with all of their imperfections—and, goodness knows, we will discover more as the years go on—they do represent the best efforts of a group of human beings. We should be able to express that public support.

I would also like to go on record as giving the government notice that if the minister does make a decision which appears to be contrary to sound judgement in terms of the Niagara Escarpment, we will consider it very much of an emergent nature and we will be asking for an emergency debate. But we trust, the minister being in the House today, he will use his very best judgement and come to positive conclusions about this great natural resource.

I happen to have a very personal interest in the Niagara Escarpment because it runs cater-corner through the riding I have the privilege of serving. I have lived through the difficulties with the first official plan and all those responses from the public and through all the difficulties with the second one and those kinds of responses. Now with the third, I think I do have the capacity to present some sort of reflection, however inadequate, of just how those concerned citizens and land owners feel about the way the Niagara Escarpment Commission has operated and what it has presented in terms of proposals this time.

For these reasons, we can certainly support this debate at the present time, while recognizing it may not carry that emergent sense which it may carry after the minister makes his decision.

Hon. Mr. Sterling: Mr. Speaker, I must say as a member of this Legislature I was a bit concerned this debate would come at the expense of private members' business. I was a bit surprised this came in the form of an emergency debate. I would have thought it would be more prudent perhaps to have this debate after I had an opportunity to formulate my position on the various matters.

3:50 p.m.

I will be constrained in some ways from commenting on specific issues that may be raised by any member in the House. I might remind members that my actions in considering the proposed plan for the Niagara Escarpment are determined in a statute, the Niagara Escarpment Planning and Development Act. Subsection 10(9) of the act states: "After having received the proposed plan from the commission and after giving consideration to the recommendations of the commission and the report, or reports if there is more than one, of the hearing officer, the minister shall submit the proposed plan with his recommendations thereon to the Lieutenant Governor in Council."

For the information of the members, the Niagara Escarpment Commission submitted its recommendations on the proposed plan to my predecessor on June 29 of this year. In January of this year the hearing officers appointed by the Niagara Escarpment Commission submitted their recommendations on the proposed plan to the government through my offices.

The hearing process on which the hearing officers based their recommendations lasted over two years. I understand that altogether 9,300 people attended the hearings and there were some 1,000 applications involved in those hearings. The recommendations of the hearing officers are included in four volumes, which speaks for the considerable amount of information brought forward at the time either by submission or through examination by council.

The next steps in the process I mentioned are determined by legislation. I am required to consider the proposed plan in relation to the two sets of recommendations before me and submit to the cabinet my recommendations. To the extent that they differ from those of the hearing officers, and I can indicate to the members of the Legislature that they will differ in some manner, those recommendations will be published and 21 days will be allowed for written submissions. When these written submissions have been received and analysed, we will consider all the input and prepare a document that will go to cabinet and become the final plan for the escarpment.

At present I am carefully reviewing all the information in the two sets of reports. I have also made a special point to try to familiarize myself with the geography of the escarpment. I have studied at first hand those areas of concern that have been drawn to my attention by numerous letters received from members of the public and members of this Legislature. Among

the areas I have visited are the Fonthill kame, the Speyside region in Halton, Credit Valley in the region of Peel and Beaver Valley in the county of Grey.

Having seen the many different aspects of the escarpment, I have some considerable understanding of the concerns of the members of this House for this resource. I think it is unfortunate that the member for Grey (Mr. McKessock) is not here to participate in this debate. Perhaps he will join us later. I can assure this House that my prime concern is to ensure the protection of this important resource as a continuous, natural environment from Niagara Falls to Tobermory.

I would also be remiss if I did not take this opportunity to acknowledge the dedicated and excellent work of the Niagara Escarpment Commission in preparing the Niagara Escarpment plan. Having studied the experience and the material in other jurisdictions, I believe there is a real need for a special body such as the commission to advise local government and the province on the protection of the escarpment. The functions of such a body need to be further refined on my part before this matter can be submitted to cabinet.

In summary, while I have some concern or some scepticism about the emergency nature of this matter, I would welcome the debate and I would encourage members to state their positions and their views to me on what I consider to be a very important environmental matter.

Mr. Speaker: I feel compelled to share a view with all the honourable members. Frankly, I have very serious reservations about this motion, but as I listened carefully and attentively, quite obviously all three parties are in consent of a debate going ahead. The House, of course, can do as it wishes. I put the question to the House, shall the debate proceed?

Motion agreed to.

NIAGARA ESCARPMENT PLAN

Mr. Swart: Mr. Speaker, let me first express my congratulations to the Provincial Secretary for Resources Development (Mr. Sterling) for agreeing to have this debate proceed at present. As I stated previously, I would have preferred to have it arranged by the House leaders and perhaps have had more time allotted to the debate than is possible this afternoon. But having said that, I am glad it is proceeding now that I have put the motion.

I want to say I think the decision to have the debate has paid off already. If I heard the provincial secretary correctly, he indicated rather

clearly his opinion that the Niagara Escarpment Commission should continue as an entity. I hope I did not misinterpret him. Certainly the hearing officers recommended that it should be disbanded. That alone at this time gives us a bit of comfort. I am glad to have that commitment made.

In my comments in promoting this debate, I raised certain points I think it is probably not necessary to repeat here. This debate is taking place because we in this party are convinced that it has been the policy of the Tory government since the act was passed some 10 years ago to downgrade the preservation of the Niagara Escarpment. I think there is plenty of evidence, which I have already given, to show that is the case.

It certainly has been the policy of the Tory government of this province to set up facades—whether it is in the area of food land preservation, in the area of forest preservation or in the area of the Niagara Escarpment—to make major pronouncements on preservation and to pass legislation which seemed like good legislation and then never to follow through on the implementation of either the statements or the legislation. That is our concern now with regard to the Niagara Escarpment Planning and Development Act.

If this plan proceeds, as the hearing officers have recommended, or even as the Niagara Escarpment Commission in its final report has recommended, there will be some loopholes that will permit the government to do anything other than carry out the purpose and the objectives of the act. We voted against the act in 1973 in this party precisely because we did not believe the procedures in the act were sufficient to implement the idealistic principles embodied in it.

Subsequently, I moved a private member's bill to strengthen those procedures, but that got nowhere, like most private members' bills. Now we are at the crunch. If we can anticipate what will happen from the downgrading of the act over the last 10 years, the downgrading of preservation, then I think it is the preservationists who are going to be crunched.

The hearing officers' report decimates the purpose and the objectives of the act in four ways. First, there is a broadening of permitted uses within categories, such as the escarpment natural area, where, under the hearing officers' report, development would now be allowed that would not have been allowed, at least under the original plan as proposed by the Niagara Escarp-

ment Commission, in the escarpment protection area and in the escarpment rural area. All kinds of development are permitted which should not be there.

Then it decimates the purpose by shifting many sections of the escarpment into a less restrictive category, a move from the highest protection down to second-class protection or third-class protection. It has been decimated by reducing the area of the coverage of the plan, and I mentioned that in my lead-in remarks.

The proposal in the hearing officers' report which I now understand the minister has committed himself not to support, that of abandoning the Niagara Escarpment Commission, would have provided no watchdog whatsoever.

4 p.m.

The Coalition on the Niagara Escarpment summarized the report of the hearing officers in these words: "The Niagara Escarpment plan is in tatters." Then it pointed out what it allows in the following clauses. They say:

"New lots and new houses allowed in the most sensitive areas in the escarpment;

"Rural subdivisions, including condominiums, in the protected areas;

"Unlimited expansion for minor urban areas, even on the most unspoiled escarpment land;

"Looser severance policies;

"Gravel extraction and condominiums in agricultural areas;

"Implementation of the plan by local municipal zoning bylaws without any continuing provincial overseeing role, despite the hearing officers' refusal to hear evidence on implementation of the plan;

"Approval of development in the three major individual controversies: the Speyside quarry, the Fonthill kame gravel pit, Steed and Evans and the Epping Commons condominium development in the Beaver Valley, despite sustained local opposition and expert testimony before the hearing officers; and

"The removal of the Jordan Harbour and many of the other rural areas in the Grimsby area and other areas of the escarpment from the plan."

The degree of decimation of the purpose and objectives is best exemplified, I think, by Speyside, that area north of Milton where Standard Industries has requested that quarrying be permitted in some 600 acres of land just on the top of the escarpment, which is a replenishment area for the streams below the escarpment. I have travelled in that area, and the number of beautiful homes around there that would have

their value drastically reduced and the streams that would no longer flow make the recommendation of the hearing officers impossible for us to support in this party.

The Fonthill kame moraine, as I mentioned in my preliminary comments, where they propose a 125-acre gravel pit by taking that whole area out of the escarpment plan altogether, is land that is right on the face of the escarpment; it is land that will grow peaches or cherries, the very best land we have in Canada and perhaps in North America, and they are prepared to take that out. We will not tolerate that within this party either.

The changes that have been made in the Epping Commons proposal, about which my colleague the member for Hamilton Mountain (Mr. Charlton) will have some more to say, cause us very great concern. There has been a complete reversal on the part of the Niagara Escarpment Commission.

The proposal for Epping Commons was turned down by the Niagara Escarpment Commission in 1979. The rejection was upheld by the appeals officer. Then eight months later it was upheld by the minister in charge, the Minister of Municipal Affairs and Housing (Mr. Bennett). But he proposed an official plan amendment that would permit it. Although he turned it down, he was the person who suggested another route that could be followed by the pro-development forces to get their way in the Beaver Valley.

The minister went so far as to fund a study in opposition to the Niagara Escarpment Commission plan, contrary to what he had stated was his own regulation in his own ministry, and it was presented to the Niagara Escarpment Commission hearings in opposition to the plan.

The proposed plan, which was funded by the government and which was done by so-called independent consultants, was changed after it was first tabled. Now the Niagara Escarpment Commission has changed its plan. After fighting vigorously for four years against development in that part of the Beaver Valley, they have totally capitulated without giving any reasons.

Mr. J. A. Reed: Mr. Speaker, I will try not to duplicate what was said by the member for Welland-Thorold (Mr. Swart), who expressed a good many concerns as a result of the hearing officers' report. Perhaps I can make my message succinct and to the point.

The minister has two basic options. Most of the province, as I understand it, is really on record now as supporting the proposal of the

Niagara Escarpment Commission vis-à-vis that hearing officers' report. I will deal specifically with the one concern I mentioned when we were having our predebate debate. I feel that if the government wants to accomplish something historic here, it can do so by accepting the basic premise of the commission report.

I have been around this place long enough to have been a part of the escarpment commission's first machinations and its first difficulties. I remember a gentleman by the name of Ivor McMullin, who was sent as chairman into what was a horrible hornets' nest. What had been created initially was a bureaucracy that was acting in a very autocratic manner. Instead of encouraging the help and participation of the land owners on the Niagara Escarpment and those people concerned with the escarpment, its efforts simply turned them off.

The record of cases in the riding office of Halton-Burlington is a testimony to the reaction to the initial efforts of that bureaucracy. In fairness, credit has to be given to the chairman, Mr. McMullin, who was here in the gallery this afternoon, thankfully. He recognized what was wrong and started out on a herculean effort to turn opposition into support.

While nothing of this nature, nothing that interferes with the ownership of property or the development aspirations of property owners, can be thoroughly accepted by everyone, I happen to be one who believes the commission has come to the best possible conclusion.

4:10 p.m.

I expressed the concern of my party over the kinds of proposed developments and the nature of the Epping Commons development that had been accepted by the commission. I believe that if the minister is going to accept the commission's recommendation, one thing he might do is build in some sort of mechanism so that any kind of proposal either that specific one, Epping Commons, or any in the future will be subjected to cross-examination, public participation and public scrutiny. It only makes sense.

I suggested in the opening statement that one of the options might be to order an environmental assessment on major development proposals. That might be one. It might also be the recommendation of the Beaver Valley Heritage Society; its preference would be to subject proposals of that nature, and this Epping Commons one in particular, to a standing committee of the Legislature, where some kind of objective examination of such a proposal could take place. Such a committee might in the end

recommend environmental assessment. Our suggestion perhaps just carries it a little bit further. I say to the minister, our minds are wide open on that so long as whatever is laid down is a mechanism that will allow the subject at hand to be dealt with fairly and in the most complete manner possible.

There have been a number of basic concerns on the escarpment. Of course, for all of us in the province, one is the basic preservation of what has come to be called, poetically, the Giant's Ribs. Another concern that has to be addressed involves those people who live on the escarpment and make their livelihood there. Those people, who carry on all sorts of activities, have to be assured of the prospect of being able to carry them on in the future. I believe the recommendations of the commission have addressed that concern in so far as it has been humanly possible to be addressed.

I want to take a few of the remaining minutes to express my wholehearted support for the foundation that has been recommended by the Niagara Escarpment Commission to provide a basic fund of moneys for the purchase of property. Note that I say "the purchase of property" and not "the expropriation of property." I am very delighted that policy has been included in those recommendations.

The record of the provincial government on the acquisition of land on the escarpment is abysmal and it has been declining year by year since about 1975. I have had personal dealings with the Minister of Natural Resources (Mr. Pope) and the present minister's predecessor regarding land that was available and for sale in sensitive areas on the escarpment where the ministry simply said there was no money and it did not amount to very much. That is the difficulty of having the central fund in our provincial legislation and not being able to earmark money in the general revenue. The foundation, or the Niagara Escarpment Trust, is one way of earmarking funds.

Gertler said in 1979, if my memory serves me correctly, that if \$26 million were set aside at that time, all of the sensitive areas on the escarpment could be purchased. How short-sighted the government was at that time not to heed that report and to carry on with those necessary purchases for preservation.

This recommendation for a trust or foundation is one that I urge the minister to accept and to see to it that the seed money in that trust is put forward by this government so that when opportunities arise again, as they did in Halton a

couple of years ago, the commission will be able to move, knowing that it has the funding there to handle the purchase.

The minister has a historic decision to make in the next few weeks or months. I urge him as strongly as I possibly can, with the provisos I have suggested, to pay most close attention to the recommendations of the Niagara Escarpment Commission.

Mr. Williams: Mr. Speaker, I am pleased to be able to participate in the emergency debate this afternoon on an issue that is of great importance not only to people who reside within the geographic parameters of the Niagara Escarpment but also to all citizens of Ontario.

The Niagara Escarpment, as we all know too well, is one of the unique pieces of real estate in our province. This government recognized that very clearly, as was mentioned earlier this afternoon, some 10 years ago when it brought in the legislative control to ensure that the present and future multiple uses of the Niagara Escarpment are properly balanced, so that the natural beauty of the escarpment is preserved in substance and so that those who have other interests in the preservation and continuing beautification of the escarpment along with their own personal vested land interests are clearly recognized.

Perhaps in some cases differing interests have created problems over the 10-year period. The very fact that these differences prevailed in 1973 gave cause for concern at the time, and it became a feeling of this government that it had to establish a holding pattern, so to speak, whereby time would have to be set aside so that cooler heads could prevail and a meaningful and well-thought-out long-term use and, I stress, preservation of the escarpment would take place.

As the minister responsible for the legislation pointed out in the opening debate discussing the merits of this emergency debate this afternoon, clear guidelines were established under the act. Indeed, I think it is a masterful piece of legislation, which of necessity had to lay down the broadest guidelines, under which there could be the maximum amount of public participation to ensure that everyone who had any interest or concern about the preservation of the escarpment would be heard.

This has been clearly demonstrated in what has taken place over that 10-year period. In fact, I recall that there have been previous emergency debates in this chamber over the fact that

too much time was being taken in the process that had been put in place by virtue of the statute and the guidelines it set out. Yet, as the minister mentioned earlier this afternoon, the public hearing process has been an unqualified success, and I have yet to hear of people who would complain that they were not given the opportunity to make their views known.

4:20 p.m.

I guess what concerns me today is not the importance of the issue—there is no divisiveness or dissension on that point; it is an extremely important issue—but the timing of this emergency debate this afternoon. As the minister had said, he questioned why after 10 years of process, at the eleventh hour and a half, an emergency debate should be held on the eve of the day on which he has to make further decisions.

The procedures under the act have been followed to the letter. The commission has put forward its recommendations after first receiving the report from the hearing officers. The hearing officers' report is based on the best information made available to them, based on more than 26 months of hearings involving more than 750 submissions.

Obviously, when we have two sources of reporting to put into the system we are going to have some differing points of view. I suggest it is clearly premature to draw any conclusions or to arrive at any points of view simply because there are differences expressed in the recommendations of the commission as compared to the report of the hearing officers.

The honourable member who has sponsored this emergency debate today has suggested that the whole process is at the point now where the whole concept of the preservation of the escarpment is going to be buffaloeed simply because there are some differing views expressed by the hearing officers as contrasted with those of the commission.

One of the leading insurance companies has often stated that one of its mottoes is that if you deal with it you are in good hands. I can assure the member, as we all know, now that the report of the hearing officers and the recommendations of the commission are vested in the hands of the minister, that he will deal with those documents judiciously, wisely and certainly with a great deal of feeling and concern.

Surely the time one would want to suggest that there should be an emergency debate would be when the minister has put forward his final recommendations and after weighing and

assessing the two different sets of documentation. With respect, I think the sponsor of the resolution before us today—if I can use the common verbiage—has jumped the gun and is creating a tempest in a teapot. He well knows that the minister has full charge of this matter and will be submitting his recommendations to the government and to the Lieutenant Governor.

It is clear that there can still be further public input even after the minister makes his recommendations known. It is my understanding that there is a further 21-day period following the submission of his recommendations when certain written representations can be made if, in fact, there is disagreement with the views of the hearing officers. As has been suggested by the minister, it would have been much more appropriate had this debate come after he had an opportunity to fully assess the significance of these recommendations and the report.

It is my understanding that the minister, while considering these matters very carefully, will not be dealing with them in a way that would delay the ultimate resolution of this matter, but rather that the minister full intends to deal with the matter as expeditiously as possible. I certainly look forward to his report and recommendations to the Lieutenant Governor. At that time I think we can have a more meaningful and informed debate on the issue in this chamber.

Mr. Charlton: Mr. Speaker, as I rise to take part in this debate today, perhaps I should start out my comments by saying it is really unfortunate that the member for Oriole (Mr. Williams) sits there and refuses to listen to what is being said. He gets up and spends half his time arguing about whether this debate should be going on today, instead of talking about the importance of this issue.

First, my colleague made it very clear when he moved his motion that we had requested the minister to arrange a fuller and larger debate on the hearing officers' report and the proposed plan. We did this through the House leaders, in a legitimate fashion, so this House could deal with the whole question. If we had got that response from the minister, this would not be occurring this afternoon.

Second, as the member for Oriole pointed out, if the minister disagrees with the hearing officers' recommendations, then there is a further 20 days. Unfortunately, the minister chose not even to give us the indication he has given us this afternoon. If he had given us that indication, again our approach might have been different.

Unfortunately for us, there was only one option that was left open to us. Because we had no response to our request for a debate to be arranged and no indication of the 20-day period or that further public input would be occurring, we felt we had no choice but to proceed now. We felt it was necessary for the members of this House, at least those who are concerned about the whole Niagara Escarpment question, to have some input with the minister prior to his decision, prior to the recommendations going to the cabinet. That is what we had requested and, unfortunately, that is not what was given to us or indicated to us prior to today.

I am pleased to hear that the minister is taking a much more open approach to this whole matter than the member for Oriole is prepared to do. I am glad that he has taken the time to visit the specific sites of concern along the escarpment in relation to both the commission proposals and the hearing officers' report.

I would like to run through and make some comments about several of these sites, because I am sure that if the minister did the visiting he ended up with very much the same feeling as many of the residents of those areas have and as I did when I visited those sites, and as my colleague from Welland-Thorold did.

When the minister visited the Speyside site, for example, I hope he went into the swamp and had a look at this area that is being proposed as a 600-acre gravel pit. It is mind-boggling. The site is not too far from your own riding, Mr. Speaker; so perhaps you are familiar with it. But the site is a swamp. The site is a recharge area. The site is an area that is so environmentally sensitive that to put a gravel pit in it is going to have an impact in terms of the operation of Mother Nature herself and, as my colleague has suggested, in terms of a number of streams that play an important role in any number of surrounding communities.

In addition to the comments my colleague and others have made about the Speyside site, even in addition to the very sensitive nature of the ecological makeup of that area, there are a number of other important aspects of opposing development on that site.

In addition to those facts which I have just set out, that site is also an ecological environment that is unique in Ontario, unique in Canada and unique on the North American continent. A number of species of wildlife—flora and fauna or vegetable life—exist in that site in combinations that are totally unique on this continent. For us even to consider destroying something so

one, so unique, is beyond my comprehension. Yet, obviously, the whole matter of development on that site is being seriously considered, at least by some.

4:30 p.m.

I am sure when the minister paid his visit to Beaver Valley and the proposed Epping Commons site, he was made aware of a number of the concerns of local residents around that proposed development as well, specifically, the concerns of local residents about the future of the Beaver River, in addition to their concerns about the overall environmental impact of the proposed development on the site on which it will sit.

We have a situation in the Beaver Valley where at present existing recreational developments of a very much smaller scale are causing serious environmental problems. They are operating on a sewage lagoon which is totally inadequate to handle the waste that is being produced. On a fairly regular basis, that lagoon, that pond, or whatever one wants to call it, is overflowing into the Beaver River and causing some serious pollution problems and endangering the fish life in that river, which will ultimately damage the recreational viability of that whole valley.

The Speaker is aware that Beaver Valley is a very important recreational facility in this province. It is not only very naturally beautiful, but it is an area of this province where large numbers of cottagers and part-time land owners spend their recreational time during our spring, summer and early fall seasons.

The proposal for the Epping Commons development will so dramatically increase the overuse of the capabilities of that area to handle sewage, let alone the other environmental problems which will arise—erosion and so on—that we will surely destroy that valley and river in the process of allowing that development to go ahead.

The minister has obviously taken an interest and become involved. The Beaver Valley Heritage Society has developed a particularly useful and easily understandable presentation, including slides, maps and a number of other things. I would encourage the minister to take advantage of seeing that presentation before he makes his final decision.

I will try to wrap up my comments by saying that certainly the new proposed Niagara Escarpment plan is much more acceptable than the report of the hearing officers from the perspective of this party, but I should put on the record,

and put it on as clearly as I can, that we are not totally happy with the proposed Niagara Escarpment plan either. It is our opinion that although the plan still would provide some protection along the length of the escarpment, many of the things which have been removed from the plan, many of the strengths of former plans, would be much more acceptable to us in terms of the absolute protection of the escarpment as a continuous natural area.

I want to say to the minister, who suggested he wanted to see it remain as a continuous natural area, the kind of damage we have done to the Niagara Escarpment, for example, in the city of Hamilton where I come from, is damage which is irreparable.

Mr. J. M. Johnson: I am pleased to rise in the House today and to speak on a matter so long an issue in this House and in our province and in my riding. Many years, many dollars and many man-hours have been spent in discussing and exploring options for the future of the Niagara Escarpment.

The government has now before it two comprehensive reports: one undertaken by the Niagara Escarpment Commission, and the other a report of NEC hearing officers. These reports will be studied by the Provincial Secretary for Resources Development who will, in turn, make recommendations to the cabinet. I know that both reports will be seriously examined and analysed before a final proposed plan is accepted. I am sure all of us will agree that it will be a report we can all accept.

I think someone said many years ago that politics is the art of compromise. If ever there was a time that we could use the phrase "art of compromise," I think it would be in relation to this escarpment.

The plans are being presented by two diverse groups, taking two different approaches to preserve and enhance our future in this area. At the same time, it reflects on the people who live in that area. It is an encroachment on their property rights. Yet, at the same time, I think everyone would recognize the fact that we should preserve this escarpment.

As I mentioned, it is a compromise that should be worked out in a reasonable level because we cannot just simply take away property that belongs to people, some for many years, some for over a century, and say that we are preserving this for the benefit of the rest of society. If we do, we can speak then in terms of expropriation and, thus, it is even expropriation without adequate compensation. Some people

talk about expropriating and paying a reasonable amount of money, but I do not think there are enough dollars to pay the amount that would be needed really to do the job that was originally planned.

Speaking on a personal note which in no way reflects the position of the government, I think the government in a reasonable period of time will make its own statements and I would like to be quite prepared to support those statements. Now I have an opportunity to express some concerns of my own in regard to the people I represent and the people, especially, who are in the Niagara Escarpment control area. In my riding I speak for the people of Caledon.

There have been concerns expressed on numerous occasions about the degree of controls that have been set out for the Niagara Escarpment Commission. Many of the people I have talked to, including the mayor of Caledon, John Clarkson, would prefer to see the controls handled by the municipality itself. They have an adequate planning office in Caledon and they can do the job. I think even the commission agrees that this could be done. I think the hearing officers' report was favourable to this concept and I certainly support it.

There was one section of the report that I did not agree with. This was in breaking the escarpment. There are two areas in the escarpment which were broken. One was in the Hamilton area and one in the Creemore area. I think the escarpment should be preserved from Niagara right through to Tobermory without any break. The areas that have been broken should be filled in, but a reasonable width.

One of the main concerns that has been expressed for the last several years has been the wide scope of the escarpment, that it encompasses land that was not even close to the escarpment. In one particular area, Dufferin, I do not believe they could even locate the escarpment, but they just assumed it was in a certain area and designated it as such.

4:40 p.m.

I mentioned earlier my concern for property rights and I think this is something we cannot take for granted. If we do want to preserve an area of this size, then we have to be prepared to fund it and to pay for any land that people are not willing to leave in abeyance. If we take away their right to develop the property, we might just as well take away the property. If we are going to do this, then we should be prepared to come up with the dollars to compensate them quite adequately for their loss.

I also feel we can be overly strict in development. I had an issue a few years ago with a proposed development; you might remember the Cantrakon proposal that did not proceed. I personally felt that it had a lot of merit. We certainly could have had a lot more control in the development. In my opinion, I do not think that to prohibit all development in this Niagara Escarpment control section would be in the best interests of the people of this province. Certain areas definitely have to be protected, but others could see some development without in any way impairing the design we have in mind for protection.

I can think of the White Mountains in New Hampshire and the Green Mountains of Vermont as two examples where states have preserved their historical scenic mountains and still allowed some commercial development; in fact, in some instances the commercial development enhances the opportunity for the people to enjoy the scenic areas. If you were to travel into the White Mountains of New Hampshire, and there were no place to stay, no campgrounds or facilities, then you would only be able to stay a few hours and then have to move into the adjacent cities.

The development in New Hampshire represents an area we could consider in this part of the escarpment. The Beaver Valley area that has been mentioned in this resolution is an area that is very strongly geared to tourist development potential. I think we should be looking at ways and means of developing tourism in this section, rather than trying to eliminate it or keep it out.

I was pleased to note in the report of the hearing officers their increased interest in agricultural activities of the area. This has been one concern that has been raised on numerous occasions, and I think all members of the House have had people who were concerned because farmers for many generations were not allowed to do the type of activities that were required to conduct their farming enterprise. This is one point that should be carried forward in the minister's report.

I remember a meeting in Orangeville—three years ago I think it was—when many hundreds of people expressed their displeasure over the escarpment and the commission. That represented to me a lot of people who had many dollars tied up in land that they could not make use of. I feel that is not in the best interests of this Legislature.

Personally, I have very little difficulty in supporting most of the recommendations made

by the hearing officers. I would like to see the escarpment continuous from Tobermory through to Niagara. I would like to see it narrowed down as suggested in the report. I would like to see the controls turned back to the local municipalities and I would like to see us continue the Niagara Escarpment Commission for a reasonable period of time, I would think in terms of several years, as an advisory body and where necessary a control body.

The escarpment must be preserved for enjoyment and pleasure, yet it must not remain an impregnable barrier to local economic and social development. A simple straightforward system of planning, emphasizing preservation of natural lands but combined with reasonable development standards, should form the base for future planning of the Niagara Escarpment.

Ms. Bryden: Mr. Speaker, I rise to support the motion by the member for Welland-Thorold. Back in 1973 this government passed the Niagara Escarpment Planning and Development Act in which it declared its objective was to "maintain the Niagara Escarpment as a continuous natural environment." By this legislation it recognized that the escarpment is a unique ecological feature of this province. It extends for more than 300 miles from Niagara to Tobermory, and we must make sure it is preserved. I think all members of this House agree that it must be preserved, and that is why special legislation was required for it, but we differ in our concepts of how it can be preserved. That is what this debate is all about.

The escarpment is used and enjoyed by a great variety of people. It is an important recreational area for thousands of people who enjoy its natural beauty. Much of our fruit land and food land abuts the escarpment. Its aggregate resources are exploited by commercial companies. A considerable amount of housing is located on it and it has been the target of subdivision developers and hotel builders.

With so many conflicting land uses on the escarpment, it is extremely important that the province exercise overall control of the development if it is to be preserved and if the differing interests are to be reconciled. But ever since the legislation was passed, the province has been letting its powers of control be whittled away. It has allowed the area to be covered by the Niagara Escarpment plan to be drastically reduced. It has allowed the expansion of the aggregate industry operations on the escarpment. It has given the municipalities more power to decide on land uses on the escarpment

and its abutting lands. It has even tried, apparently, to change the balance between conservationists and developers on the Niagara Escarpment Commission in favour of the latter.

Many of the problems which have arisen with the development control process would not have been encountered if the government had followed Professor Gertler's advice in his 1968 report on the escarpment and purchased the most sensitive areas of the escarpment. Then these areas would be beyond the developers' reach and firmly under provincial control and protection. When Mr. Gertler recommended this step in 1968 it would have cost about \$31.5 million. Now it would cost a great deal more, and so, reluctantly, the province is following the development approval route instead.

The New Democratic Party in 1973 opposed the Niagara Escarpment Planning and Development Act because we supported Mr. Gertler's proposals as a better alternative. We feared that substitution of development control would result in the rape of the escarpment during the period when the overall plan for the escarpment was being developed. I am afraid subsequent events have proved that in many cases we were right. However, we now wish to make sure that the act we have is used to protect the escarpment to the full extent that it has it as an objective.

4:50 p.m.

We have been going through a process of public hearings with public input on the final proposed plan that the Niagara Escarpment Commission has produced. The hearing officers, after extensive public hearings, have produced a report which seems to indicate that they have not listened to all of the representations made to them about the Epping Commons proposal.

This is a proposal to build a condominium and resort development in the Beaver Valley. Many of the submissions have strongly opposed this proposal on the ground that it was completely contrary to the objectives of the act. They have claimed that it would destroy the Beaver Valley for the other uses of the Niagara Escarpment that I have mentioned. I support that view.

As a user of the escarpment myself for recreational purposes, as a member of the Bruce Trail Association, I feel that the Beaver Valley would be destroyed as a recreational opportunity for the thousands who now use it. As a former Environment critic in this House, I am well aware of the dangers to the ecology and

the environment which would occur if this development is allowed to go ahead.

We are now at the stage where the cabinet has to choose between the report of the hearing officers and the final proposed plan of the Niagara Escarpment Commission. In most respects we prefer the Niagara Escarpment Commission plan because it recognizes the relationship between the natural environment and the escarpment and rejects a good many of the pro-development recommendations of the hearing officers.

On the Epping Commons issue, we feel that both the hearing officers and the Niagara Escarpment Commission are wrong. We feel that the cabinet must take another look at that question and listen to the voices that were raised before the hearing officers, instead of listening, as the hearing officers appear to have listened, to the voice of Goodman and Goodman, the Tory legal firm which represents the developer for the Epping Commons proposal.

By this debate we are asking the Provincial Secretary for Resources Development (Mr. Sterling) to take a clear message to the cabinet. We are telling him that approval of the Epping Commons development would be a disaster to all users of the Niagara Escarpment. We are telling him that approval of the Epping Commons development is contrary to the objectives of the Niagara Escarpment Act. We are asking cabinet to show leadership and to recognize its responsibility under the 1973 act to preserve the escarpment for future generations of this province.

Hon. Mr. Sterling: Mr. Speaker, first, I would like to thank the number of members who have participated before me and, with intention, I tried to hold my remarks so that I could perhaps direct some of the remarks to some of the comments made.

As I mentioned during the debate on the motion, I did say I felt constrained to take a position on specific site matters. Unfortunately, many of the remarks made within the debate referred to specific areas.

I recognize the need for a local member, such as the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson), to state his specific interests and concerns within his riding. As I mentioned before, it is unfortunate that the member for Grey (Mr. McKessock) could not be with us to express his concerns. Perhaps I will have some further remarks on that later.

I am a little disappointed in the debate. While I know the concerns and the local issues are important, I heard little constructive sugges-

tions concerning the real issues before me. Those, of course, are the hard questions of delegation—delegation of what powers and how that is to be achieved.

I really had hoped to get constructive assistance from some of the members here to help me come to what I consider a reasonable conclusion. Perhaps that issue is too sticky for the members to get involved in. I would prefer, if at all possible, that such an issue stayed out of the political forum because in many ways an issue such as this lasts a long time after we leave these places.

I am sure constituents are not going to remember the Provincial Secretary for Resources Development or the member for Welland-Thorold or the member for Wellington-Dufferin-Peel or anybody else when they are dealing with such a matter. It probably will have a lot more to do with people who come after us.

I would like to comment briefly on the remarks made by the member for Welland-Thorold. He indicated this province had not been following the legislation or that there was some deviation away from it. I want to assure him we have been following it. That is what I have been trying to do as the Provincial Secretary for Resources Development. I believe a number of good, solid proposals have come forward for a plan and I hope I will be able to bring it to fruition.

I have heard that both the member for Welland-Thorold and the member for Hamilton Mountain (Mr. Charlton) really want it both ways on the very sticky issues of delegation of power and power for the commission. On the one hand, they say, "We want to retain the Niagara Escarpment Commission and we laud the efforts of the Niagara Escarpment." On the other hand, they say they want the real power, the power of development control, delegated to municipalities or regional municipalities.

I say to them that they cannot have it both ways. They either have to come or go. If what I have read in the press associated with statements made by the member for Welland-Thorold is incorrect, I would be pleased to correct that.

In regard to the member for Halton-Burlington (Mr. J. A. Reed), he indicated to me that we have basically two options. One is an option to accept the hearing officers' report and the other is to accept the Niagara Escarpment Commission's report. I think it is clear from his comments that he supports the Niagara Escarpment Commission's report and, in fact, he confirmed that to me in a letter of August 31 of this year in

which he said: "I would urge you, therefore, to look favourably upon the NEC proposal as delivered by the commission and also tell you that in my view it has the general support of almost all of the concerned groups."

Then on September 7 I heard the other option from the member for Grey, who unfortunately cannot be with us or who is not with us perhaps because this is an emergency debate. He said: "I have found that the residents of the area of the Niagara Escarpment are for the most part pleased with the hearing officers' report. They are of the opinion that after nearly two years of hearings and 743 personal submissions to the hearing officers, the report should reflect fairness and an understanding of the issue. I trust it will receive favourable consideration or favourable approval by the cabinet."

"On the other hand, the recently submitted plan by the Niagara Escarpment Commission to the cabinet has deviated somewhat from the hearing officers' report. The most unacceptable deviation is where they have allowed development control to remain in the plan. Hopefully, the cabinet will see fit to follow the hearing officers' report in the area of development control. The hearing officers have recommended that development control be eliminated from the proposed plan and that the land be protected through zoning bylaws. This is certainly a much fairer way of controlling and protecting the escarpment." Then he goes on to deal with zoning bylaws etc.

5 p.m.

I have received from the Liberal Party both options and have been encouraged to take two different options. I prefer to take the approach suggested by the member for Wellington-Dufferin-Peel, and that is to look at the two reports, as I am charged to do by the legislation, and come up with a reasonable compromise between them.

Unfortunately, the remarks of the member for Hamilton Mountain referred to specific issues. As I have mentioned before, since I have not formulated my recommendations, I am not in a position to take a stance on any of the specific issues he did mention.

As I said in my opening remarks, we have received a considerable number of replies and submissions from various sources across this province. I have received something like 300 different views of both the Niagara Escarpment Commission proposal and the hearing officers' report.

I have steadfastly refused to meet with any

one group. I felt that if I met with one group, I would be obligated to meet with all of them. My job is clearly outlined in the legislation. I must consider the two reports, and that is what I have restricted myself to outside of this debate and reading the submissions as well as some of the submissions that have been made to the hearing officers.

I believe both the escarpment commission and the hearing officers did their best to hear the cases. They have reached different conclusions, but I believe both did so in good faith. I believe this government will come to the right conclusion after I have made my recommendations to it.

I am confident, as I mentioned in my opening remarks, that the escarpment will continue to be protected and will continue to be recognized by this government as a special place that we will not give up on. Nor will we ever let it go for our future generations.

Mr. Rae: Mr. Speaker, first of all, I want to pay tribute to my colleague the member for Welland-Thorold for the yeoman service he has done in speaking up for those who take a longer view with respect to the heritage that is represented by the Niagara Escarpment.

I want to say to the minister that if he is disappointed in the assistance that has come from members on this side in the debate today, that is nothing compared to the disappointment many of us feel with the remarks he made today. He really has not indicated to us in any way, shape or form the government's attitude to the hearing officers' report and to the commission's report that came out in June 1983.

In that regard, I simply point out to the minister that the conclusions of the commission in June 1983 with respect to the approach taken by the hearing officers were critical and indeed devastating. I simply ask him to look at page 13 of the report of the commission, which says:

"Based on our review of the hearing officers' report, particularly the general discussions in volume 1, we have drawn the following conclusions:

"1. They did not adopt the important objective of seeking a balance between municipal interests and broader public interests (the provincial interests). Consequently their report is weighted too heavily in favour of municipal interests. This is contrary to the intent of the government's 1973 policy statement and the act.

"2. They did not accept the environmental planning concepts on which the commission based the proposed plan. As a result, they

substituted for these concepts the more familiar planning approaches used by local municipalities in preparing official plans and zoning bylaws."

I simply want to put to the minister that if he sees his role as he has expressed it today, as somehow to find a compromise between the hearing officers' report and the report of the commission, he is attempting an impossible task and one that he should not be attempting to carry out.

That is not his responsibility under the act, as we see it. His responsibility under the act is to carry out the task of protecting the heritage of this province and to devise an environmental plan that respects the heritage of this province. If he finds on the basis of his own inquiries that the hearing officers in their approach have deviated significantly, if not totally, from the approach set out in the legislation, he has to reject the hearing officers' report and its findings if they follow from a philosophical approach that is faulty.

Hon. Mr. Sterling: Mr. Speaker, on a point of privilege: I refer the member for York South (Mr. Rae) to the legislation. My duty is clearly outlined under subsection 10(9) of the act. The act says:

"After having received the proposed plan from the commission and after giving consideration to the recommendations of the commission and the report, or reports if there is more than one, of the hearing officer, the minister shall submit the proposed plan with his recommendations thereon to the Lieutenant Governor in Council."

It does not say I have to reject anything. I think the member for York South is perhaps taking a little liberty in saying what I have to do and what I do not have to do, when in fact it is enshrined in the statute.

Mr. Rae: With great respect, Mr. Speaker, I do not mind the minister taking up my time to make a point that has to do with some privilege of his that I have taken away in something I have said. All I am suggesting is that my understanding of the act and of his responsibilities is that he has an obligation overall to uphold the letter and spirit of the act.

Mr. Stokes: And the integrity of the escarpment.

Mr. Rae: As my colleague has said, he also has an obligation to maintain the integrity of the escarpment. If the hearing officers' reports represent an attack on the integrity of the escarpment and if they represent a philosophical mistake because, in the words of the com-

mission, they have not accepted the environmental planning concepts and they use the concepts that have more to do with municipal bylaws than with an overall environmental planning approach, I am simply saying that the minister has an obligation not to reach some kind of arbitrary compromise between one position and another just because he has received two reports; he has an overall obligation to maintain the integrity of the escarpment and to maintain it in a way that respects the concepts of environmental planning and is not tied to simple, short-term solutions with respect to the land.

When this House established the Niagara Escarpment Commission, we recognized that the land on the Niagara Escarpment was not simply a commodity that could be traded on the open market like other land in the province. This was a decision that was taken by this assembly. If the approach that is taken by the hearing officers fails to respect that decision of this Legislature, then the approach taken by the hearing officers should be rejected by the minister, and he should state very clearly that he is rejecting that approach because they have misunderstood the historic decision this Legislature took when it said there is something very special about the integrity of the Niagara Escarpment that all planning decisions taken have to respect.

5:10 p.m.

The minister said he was not clear on our position with respect to delegation, derogation and so on. In the brief time that is available to me, I want to respond to that to make it very clear to him what our position is. If the minister will read the private member's bill that stands in the name of the member for Welland-Thorold, I think he will see very clearly what we are saying.

What we are saying in our party is that the environmental plan, the overall plan that will eventually be adopted by the government with respect to the Niagara Escarpment, should become an integral part of the official plan of each and every municipality that is found within the Niagara Escarpment. This would mean therefore that any derogation from that plan could not simply be made by the municipality on its own accord. It could only be made after a process of appeal and a process that would allow the intervention from the commission if there were to be any derogation from the plan. That is the position we have taken. I think it is very clear.

We believe there has to be some way of

allowing for a degree of flexibility within the overall approach that is taken. We also believe that flexibility has to be very closely monitored in terms of protecting the overall integrity of the escarpment. That is why we have argued that the plan which is adopted by the government should become an official part of the plan of any municipality and can therefore not be derogated from without the specific approval of the Ontario Municipal Board and ultimately, as the minister knows, by the cabinet itself upon appeal by anybody, including the Niagara Escarpment Commission.

Hon. Mr. Sterling: Who issues the development permit?

Mr. Rae: The development permits cannot be issued by a municipality unless they have the specific approval of the municipal board and of the cabinet. That is the whole purpose. One cannot derogate from the plan unless one has the specific approval of the Ontario Municipal Board and of the cabinet. That is the thrust of the bill that stands in the name of the member for Welland-Thorold. I think it is a bill and an approach which commends itself.

The other thing I want to say, and I think it has to be stated, is that the intervention the minister made this afternoon and the comments he made today have ignored the very real conflict, the very deep concern that exists about the approach the hearing officers took. He has ignored the decisions they made with respect to particular developments. I am sure the minister knows what they are, but since he does not want to hear about particular developments, I do not intend to take up my time by talking about them.

I think the minister has missed the boat in failing to state very clearly before the House today which approach he will adopt. Does he believe in the overall, general environmental planning approach set out by the Niagara Escarpment Commission, or does he accept the much more short-term, pro-development approach, which sees land as a commodity and a need to free up land, which is set out clearly in chapter and verse in the report of the hearing officers?

I simply say to the minister that while there may always be disagreements over particular developments, and one can have a disagreement over any particular development, he cannot ignore the basic, practical differences in philosophy between those two approaches. Ultimately, he is going to have to tell us which position he is going to take and how he intends to adopt an integral approach.

I am disappointed, and the members of my party are disappointed, that he did not choose to use this debate as an occasion to let us know what is going on. Given his erstwhile responsibility for freedom of information, I might have thought he would have shared this with us at this time.

Mr. Breaugh: Mr. Speaker, I am pleased to have the opportunity to join in the debate this afternoon because I think a couple of things should be said.

My colleague the member for Welland-Thorold has been lauded a bit this afternoon, and he deserves it. There are few people around this Legislature with his kind of bulldog determination. If the member for Welland-Thorold thinks it is an important matter that ought to be discussed by the members of this Legislature, he will make that happen in some format, in some way and at some length. I think that is a tribute to any member of the Legislature, but more so when it involves a subject such as this one which so often is given the kind of diversion we have seen here.

A noble idea such as the one put out some time ago to save the Niagara Escarpment is very often the subject of a great deal of controversy. One of the things that disturbs me, and one of the reasons I welcome the opportunity to enter the debate this afternoon, is that this government does have a wonderful ability, demonstrated consistently over a far too lengthy period of time, to say nice things and, having said the nice things, to proceed promptly at a snail's pace to do absolutely nothing. One would be hard pressed to find an example that better shows that, and better demonstrates the flaws of the Tory government, than the circumstances surrounding the Niagara Escarpment.

When the initial debate took place to set up the Niagara Escarpment Commission, there were a lot of platitudes uttered about how nice it would be to preserve a piece of Ontario that is unique in many ways, that has accessibility to a large percentage of the population and that has unique features about it in terms of geography and the flora and fauna there. Then we proceeded to see exactly how this government set out to do that. The first resource seems to be to find some eminent Tories who are not doing too much and make them part of a commission. Then one sees the wheels of other ministries grind into this.

As we listened to the debate this afternoon, I think we were able to pinpoint some of the areas where the government has had continuing prob-

lems, particularly over something as controversial and as delicate as the escarpment.

We have heard members participate in the debate this afternoon and, I think in good conscience, put forward exactly what they are going to do. Members whom I respect as people with legitimate opinions different from mine said things such as, "I want to put on the record this afternoon my objections to what has happened over the escarpment."

But they also stated extremely clearly and explicitly that no matter what the government recommends, when it comes time for the minister to put forward his report to the cabinet and the cabinet adopts it, they are on side. They do not want to see what the report says. They do not want to question it at that time; they want to question it now.

They made it very clear that when the crunch arrives, when the government takes its position, whatever its position is, they are on side. That, I think, is a fault in the parliamentary system, for one thing, but also in the way these members perceive their duties.

Again this afternoon we saw the minister rise to point out, in the middle of my leader's speech on the matter, that there is an act here, that the minister has obligations that are not included in that act and that one cannot infer that he has to do this or that. But there was no sense at all that the minister responsible has an overall obligation, not to a piece of legislation but to this Legislature and to the people of Ontario, to protect something that we have said in law—and we have said again this afternoon in speeches—is important.

That is another serious flaw, because when it comes down to the critical decisions—and I want to say a little bit about how we arrive at any kind of decision, which I think is important—it is not really the betterment of the people of Ontario that is looked at; it is a specific proposal.

If there are those who will make some money, if there are those who will develop some land, if there are those who will put into place some kind of development criteria—which are usually translated, at least in verbiage, as "jobs"—then all of the other things will be set aside; a normal process for making money, the mechanism for making money, will happen.

There are many of us who come from similar kinds of areas, or who have been through the escarpment fairly extensively, who know what it is like to have gravel pits and to have developments that do not look bad on paper but in

practice cause serious problems with a particular area, such as the environment.

One thing that is fairly consistent about this government is that whenever it comes to that kind of decision, a hard-nosed dollars crunch between a developer and the concerns of the environment, this government consistently falls on the side of the developer, without question. It is a rare day, indeed—in fact, I have not seen one yet—when they make a decision opposite to that. Their priorities are clear. They do not say them too often, but they certainly do, in day-to-day work, follow those priorities. That, I think, is a major fault.

There are a couple of other things I want to get on the record this afternoon.

In many ways, the development of the escarpment commission and various plans for the escarpment itself are indicative of the approach taken by this government. They move with absolute glacial speed in these kinds of things. They will proceed with a great many studies. There will be investigations. But to try to get them to make decisions, and decisions that are relevant to the kind of responsibilities that I think the ministry should have, is difficult indeed. The process works against it, for one thing.

It is quite an easy thing to get this government to move with reports. It is not hard to get them to study something. But it is incredibly difficult to get them to a point where they are prepared to take a decision in the interest of a particular aspect, like the environment, and then stick with it. That is where they fall apart. That is a great weakness in the way this province has been governed for a lengthy period.

5:20 p.m.

The escarpment is something, however, that has an additional problem in terms of time. Very often, what one sees with plans of this nature is that, by simply doing nothing, the government in fact does something. By simply taking no action to put a plan into place, the government proceeds to let development happen in a variety of ways. With a piece of real estate like the escarpment, by doing nothing, by putting no plans forward, by putting no real effective mechanisms in place to block things, developments do happen.

When we are talking about environmental protection of geography like the escarpment, by doing nothing we allow a considerable amount of erosion of what we are trying to save in the first place. The absence of a plan or of an effective mechanism to actively preserve some-

thing like the escarpment very often means developments do take place, activities do happen; things which, by their very nature, cannot be reversed.

In effect, that is kind of "back-doorsy," but that is precisely how this government, in a number of areas of Ontario—and the escarpment is probably a prime example of it—has allowed the deterioration of something that initially it said it wanted very much to preserve. There is that level of great difficulty that this province has in dealing with a matter like the escarpment and the plans that have come from it.

There is another thing I want to get on the record, because it seemed to have been implied in a number of speeches here this afternoon that those of us who want to save the escarpment want to impose some kind of great punishment on those who happen to live there; people who live in small towns, villages and farms.

If we want to make a distinction in this matter, it ought to be along these lines. There are those people who are there, and have been for a long time, whose families have farmed in and around the escarpment. I have not heard anybody this afternoon say we want to take punitive action against these folks. That is not the purpose of the exercise.

But we should also make the distinction that we are not prepared to defend, in a very active way, the escarpment versus, say, the developers. Those people are new to the scene. They are putting forward proposals, some of which will have dramatic effects on a piece of property such as the escarpment. For these people, I do not see that this Legislature has a great deal of obligation to break rules, to bend rules or to reinterpret rules.

For these folks, it seems to me that the Legislature of Ontario and the government of Ontario have a relatively simple goal. The goal is the preservation of something that exists, a fight against those who would try to ruin something like the escarpment.

I think there are a lot of small, practical details that have to be dealt with. I am happy that the Legislature has had an opportunity this afternoon, at least for a little while, to debate this matter. I would have been happier if the government had agreed to give the Legislature ample notice and a full-scale debate on the escarpment.

It is a matter of some priority for me and, obviously, for the members of my caucus. I think it deserves a full-scale debate in the

Legislature. I think it is a useful exercise to have the Legislature do that. I do not think it is a useful exercise to have people stand and debate a matter like this and say, "These are my concerns, but when it comes time for the government to take some action, I will be on side with the government no matter what they propose." That saddens me somewhat.

Perhaps we will get an opportunity to have this kind of debate and this afternoon's exercise will not be for nought. It will have been a useless exercise if we do not get some follow-up on it. It

has, however, been a useful exercise in airing something that many of us think is extremely important.

The Deputy Speaker: Are there any other honourable members wishing to speak in this debate?

The debate on this matter having concluded, in keeping with standing order 34, and it approaching six o'clock, I do now leave the chair.

The House recessed at 5:25 p.m.

ERRATUM

No.	Page	Column	Line	Should read:
54	1985	2	29	by 168 teachers from the following schools: Centennial Collegiate and Vocational Institute, Guelph Collegiate and Vocational Institute, College Heights Secondary School and the John

CONTENTS

Thursday, October 13, 1983

Statements by the ministry

Brandt, Hon. A. S., Minister of the Environment:

Acid rain 2038

McCaffrey, Hon. B., Provincial Secretary for Social Development:

Services for disabled persons 2037

Snow, Hon. J. W., Minister of Transportation and Communications:

Urban Transportation Development Corp. contract 2039

Oral questions

Bennett, Hon. C. F., Minister of Municipal Affairs and Housing:

Sudbury housing, Mr. Laughren, Mr. Martel. 2049

Davis, Hon. W. G., Premier:

French language rights, Mr. Peterson. 2039

Suncor share purchase, Mr. Peterson. 2040

French language rights, Mr. Rae. 2042

Darlington nuclear plant, Mr. Rae, Mr. Kerrio. 2045

Timbrell, Hon. D. R., Minister of Agriculture and Food:

Farm stabilization program, Mr. Riddell, Mr. Swart. 2047

Petitions

Inflation restraint legislation, Mr. Rae, Mr. T. P. Reid, Ms. Bryden, Mr. Riddell, Mr. Allen, Mr. McGuigan, Mr. Cassidy, Mr. Boudria, Mr. Breaugh, Mr. Epp, Mr. Cooke, Mr. Kerrio, Mr. Spensieri, Mr. Worton, Mr. G. I. Miller, Mr. Nixon, Mr. Stokes, Mr. Martel, Mr. Wildman, tabled. 2050

Welfare payments, Mr. Wildman, tabled. 2052

Regional Municipality of Hamilton-Wentworth, Mr. Charlton, Mr. Allen, tabled. 2053

Proposed hydro line, Mr. Eakins, tabled. 2053

Motions

Private members' public business, Mr. Wells, agreed to. 2053

Committee substitutions, Mr. Wells, agreed to. 2053

House sittings, Mr. Wells, agreed to. 2053

First readings

Mortgages Amendment Act, Bill 89, Mr. Cooke, agreed to. 2053

Smyth Town Plot Land Act, Bill Pr33, Mr. Barlow, agreed to. 2053

Private member's motion

Motion to set aside ordinary business, Mr. Swart, Mr. J. A. Reed, Mr. Sterling, agreed to. 2053

Niagara escarpment plan, Mr. Swart, Mr. J. A. Reed, Mr. Williams, Mr. Charlton, Mr. J. M. Johnson, Ms. Bryden, Mr. Sterling, Mr. Rae, Mr. Breaugh. 2056

Other business

Legislative pages, Mr. Martel	2050
Recess	2070
Erratum	2070

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
 Bennett, Hon. C. F., Minister of Municipal Affairs and Housing (Ottawa South PC)
 Boudria, D. (Prescott-Russell L)
 Brandt, Hon. A. S., Minister of the Environment (Sarnia PC)
 Breagh, M. J. (Oshawa NDP)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Cassidy, M. (Ottawa Centre NDP)
 Charlton, B. A. (Hamilton Mountain NDP)
 Conway, S. G. (Renfrew North L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Davis, Hon. W. G., Premier (Brampton PC)
 Elston, M. J. (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Grossman, Hon. L. S., Treasurer and Minister of Economics (St. Andrew-St. Patrick PC)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Jones, T. Deputy Speaker and Chairman (Mississauga North PC)
 Kerrio, V. G. (Niagara Falls L)
 Laughren, F. (Nickel Belt NDP)
 Martel, E. W. (Sudbury East NDP)
 McCaffrey, Hon. R. B., Provincial Secretary for Social Development (Armourdale PC)
 McClellan, R. A. (Bellwoods NDP)
 McGuigan, J. F. (Kent-Elgin L)
 Miller, G. I. (Haldimand-Norfolk L)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Rae, R. K. (York South NDP)
 Reed, J. A. (Halton-Burlington L)
 Reid, T. P. (Rainy River L-Lab.)
 Riddell, J. K. (Huron-Middlesex L)
 Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
 Spensieri, M. A. (Yorkview L)
 Sterling, Hon. N. W., Provincial Secretary for Resources Development (Carleton-Grenville PC)
 Stokes, J. E. (Lake Nipigon NDP)
 Swart, M. L. (Welland-Thorold NDP)
 Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Wildman, B. (Algoma NDP)
 Williams, J. R. (Oriole PC)
 Worton, H. (Wellington South L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Thursday, October 13, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 13, 1983

The House resumed at 8:01 p.m.

ORDERS OF THE DAY

CONSTITUTION AMENDMENT PROCLAMATION

Hon. Mr. Wells moved, seconded by Hon. Mr. Snow, resolution 10:

That the following resolution, laid before the assembly in accordance with the constitutional accord entered into on March 16, 1983, be adopted: Whereas the Constitution Act, 1982 provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and resolutions of the legislative assemblies as provided for in section 38 thereof;

And whereas the Constitution of Canada, reflecting the country and Canadian society, continues to develop and strengthen the rights and freedoms that it guarantees;

And whereas, after a gradual transition of Canada from colonial status to the status of an independent and sovereign state, Canadians have, as of April 17, 1982, full authority to amend their Constitution in Canada;

And whereas historically and equitably it is fitting that the early exercise of that full authority should relate to the rights and freedoms of the first inhabitants of Canada, the aboriginal peoples;

Now therefore the Legislative Assembly of Ontario resolves that His Excellency the Governor General be authorized to issue a proclamation under the Great Seal of Canada amending the Constitution of Canada as follows:

Proclamation amending the Constitution of Canada

1. Paragraph 25(b) of the Constitution Act, 1982 is repealed and the following substituted therefor:

"(b) any rights or freedoms that now exist by way of land claims agreements or may be so acquired."

2. Section 35 of the Constitution Act, 1982 is amended by adding thereto the following subsections:

"(3) For greater certainty, in subsection (1) 'treaty rights' includes rights that now exist by way of land claims agreements or may be so acquired.

"(4) Notwithstanding any other provision of this act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons."

3. The said act is further amended by adding thereto, immediately after section 35 thereof, the following section:

"35.1 The government of Canada and the provincial governments are committed to the principle that, before any amendment is made to class 24 of section 91 of the Constitution Act, 1867, to section 25 of this act or to this part,

"(a) a constitutional conference that includes in its agenda an item relating to the proposed amendment, composed of the Prime Minister of Canada and the first ministers of the provinces, will be convened by the Prime Minister of Canada; and

"(b) the Prime Minister of Canada will invite representatives of the aboriginal peoples of Canada to participate in the discussions on that item."

4. The said act is further amended by adding thereto, immediately after section 37 thereof, the following part:

"Part IV.1

"Constitutional Conferences

"37.1 (1) In addition to the conference convened in March 1983, at least two constitutional conferences composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada, the first within three years after April 17, 1982, and the second within five years after that date.

"(2) Each conference convened under subsection (1) shall have included in its agenda constitutional matters that directly affect the aboriginal peoples of Canada, and the Prime Minister of Canada shall invite representatives of those peoples to participate in the discussions on those matters.

"(3) The Prime Minister of Canada shall invite elected representatives of the governments of the Yukon Territory and the North-

west Territories to participate in the discussions on any item on the agenda of a conference convened under subsection (1) that, in the opinion of the Prime Minister, directly affects the Yukon Territory and the Northwest Territories.

"(4) Nothing in this section shall be construed so as to derogate from subsection 35(1)."

5. The said act is further amended by adding thereto, immediately after section 54 thereof, the following section:

"54.1 Part IV.1 and this section are repealed on April 18, 1987."

6. The said act is further amended by adding thereto the following section:

"61. A reference to the Constitution Act 1867 to 1982 shall be deemed to include a reference to the Constitution Amendment Proclamation, 1983."

7. This proclamation may be cited as the Constitution Amendment Proclamation, 1983.

Que la résolution suivante, déposée devant l'Assemblée législative conformément à l'accord constitutionnel conclu le 16 mars 1983, soit adoptée: Considérant: que la Loi constitutionnelle de 1982 prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat et de la Chambre des communes et par des résolutions des assemblées législatives dans les conditions prévues à l'article 38;

que la Constitution du Canada, à l'image du pays et de la société canadienne, est en perpétuel devenir dans l'affermissement des droits et libertés qu'elle garantit;

que les Canadiens, après la longue évolution de leur pays de simple colonie à Etat indépendant et souverain, ont, depuis le 17 avril 1982, tout pouvoir pour modifier leur Constitution au Canada;

que l'histoire et l'équité demandent que l'une des premières manifestations de ce pouvoir porte sur les droits et libertés des peuples autochtones du Canada, premiers habitants du pays,

l'Assemblée législative de l'Ontario a résolu d'autoriser Son Excellence le gouverneur général à prendre, sous le grand sceau du Canada, une proclamation modifiant la Constitution du Canada comme il suit:

Proclamation modifiant la Constitution du Canada

1. L'alinéa 25b) de la Loi constitutionnelle de 1982 est abrogé et remplacé par ce qui suit:

"(b) aux droits ou libertés existants issus

d'accords sur des revendications territoriales ou ceux susceptibles d'être ainsi acquis."

2. L'article 35 de la Loi constitutionnelle de 1982 est modifié par adjonction de ce qui suit:

"(3) Il est entendu que sont compris parmi les droits issus de traités, dont il est fait mention au paragraphe (1), les droits existants issus d'accords sur des revendications territoriales ou ceux susceptibles d'être ainsi acquis.

"(4) Indépendamment de toute autre disposition de la présente loi, les droits—ancestraux ou issus de traités—visés au paragraphe (1) sont garantis également aux personnes des deux sexes."

3. La même loi est modifiée par insertion, après l'article 35, de ce qui suit:

"35.1 Les gouvernements fédéral et provinciaux sont liés par l'engagement de principe selon lequel le premier ministre du Canada, avant toute modification de la catégorie 24 de l'article 91 de la Loi constitutionnelle de 1867, de l'article 25 de la présente loi ou de la présente partie:

"(a) convoquera une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même et comportant à son ordre du jour la question du projet de modification;

"(b) invitera les représentants des peuples autochtones du Canada à participer aux 30 travaux relatifs à cette question."

4. La même loi est modifiée par insertion, après l'article 37, de ce qui suit:

"Partie IV.1

"Conférences Constitutionnelles

"37.1 (1) En sus de la conférence convoquée en mars 1983, le ministre du Canada convoque au moins deux conférences constitutionnelles réunissant les premiers ministres provinciaux et lui-même, la première dans les trois ans et la seconde dans les cinq ans suivant le 17 avril 1982.

"(2) Sont placées à l'ordre du jour de chacune des conférences visées au paragraphe (1) les questions constitutionnelles qui intéressent directement les peuples autochtones du Canada. Le premier ministre du Canada invite leurs représentants à participer aux travaux relatifs à ces questions.

"(3) Le premier ministre du Canada invite des représentants élus des gouvernements du territoire du Yukon et des territoires du Nord-Ouest à participer aux travaux relatifs à toute question placée à l'ordre du jour des conférences visées au paragraphe (1) et qui, selon lui, intéresse

directement le territoire du Yukon et les territoires du Nord-Ouest.

(4) Le présent article n'a pas pour effet de déroger au paragraphe 35(1)."

5. La même loi est modifiée par insertion, après l'article 54, de ce qui suit:

"54.1 La partie IV.1 et le présent article sont abrogés le 18 avril 1987."

6. La même loi est modifiée par adjonction de ce qui suit:

"61. Toute mention des Loi constitutionnelles de 1867 à 1982 est réputée constituer également une mention de la Proclamation de 1983 modifiant la Constitution."

7. Titre de la présent proclamation: Proclamation de 1983 modifiant la Constitution.

Mr. Stokes: Mr. Speaker, how about reading the resolution in both official languages in this chamber?

Mr. Speaker: I am not proficient in the other official language and I would not embarrass myself or this House by trying.

Hon. Mr. Wells: Mr. Speaker, I am happy to take part in this debate tonight as we move this resolution.

Mr. Conway: Are these personal or governmental opinions?

Hon. Mr. Wells: These are both personal and governmental.

I am happy to take part in discussion of this resolution tonight, which is to amend the Constitution Act, 1982. Its purpose is to include certain provisions to further define and protect aboriginal rights.

It is an historic event for this House because this is the first opportunity for us to consider amending our own Canadian Constitution which now resides in Canada and which now has within it an amending formula. Therefore we have before us a constitutional amending resolution in both the official languages of Canada.

8:10 p.m.

The introduction of this resolution was preceded by another historic occasion. That was the first ministers' conference held in March of this year. I might say just at this point there were in attendance at that conference, which was the first of its kind held under our new Constitution, the first ministers—that is, the Premiers of the provinces and the Prime Minister of Canada—joined at the table by the leaders of Canada's aboriginal peoples as well as by government leaders of the Yukon and Northwest Territories. Never before had nongovernment leaders sat

down with first ministers to discuss items involving our Constitution.

I am pleased to say many representatives of the aboriginal peoples in this province assisted us in developing positions. They met with us, consulted with us and were part of our delegation to the various ministers and the first ministers' conference that made up the process which led to the accord which results in this constitutional amendment.

We have in the gallery tonight some of those people: Mr. Joe Miskokomon, president of the Union of Ontario Indians, Mrs. Donna Phillips and Priscilla Simard. Donna Phillips is president of the Ontario Native Women's Association. Mrs. Simard is a member of that organization.

There were many other of our aboriginal peoples from Ontario who were with us during the conference and who also contributed to the meetings held before the conference as we developed positions to be presented at the conference. Some of those spokesmen are here tonight: Grand Chief John Kelly, Treaty 3; Mr. Gordon Peters, President of the Association of Iroquois and Allied Indians; Mr. Wally McKay, former Grand Chief of Treaty 9; Mr. Fred Kelly from Treaty 3; Mr. Peter Kelly; Mr. Patrick Madahbee, former president of the Union of Ontario Indians; Chief Gary Potts from Bear Island; Mrs. Agnes Mills from the Ottawa region of the Ontario Native Women's Association; Mr. Marty Dunn of the Ontario Metis and Nonstatus Indian Association; and Mr. Duke Redbird, also of the Ontario Metis and Nonstatus Indian Association.

There were many others who were there, but I do not have all those names in front of me tonight. If I have missed any of the group, I hope they will forgive me. Perhaps at some time in this debate I can add further names of those I failed to recognize because there were so many of our aboriginal peoples in this province that we met with in these meetings that led up to this historic constitutional conference.

Before I go into more details of the amendments that concern us today, I would like to outline some of the processes that led to the first ministers' conference and share with you my recollections about the agreements reached on the ongoing process and the other constitutional amendments.

The honourable members are well aware that Ontario has had a long-standing commitment to aboriginal matters. This dates back to the first ministers' conference on the Constitution in 1979. In fact, it was due to Premier Davis's

initiative that the aboriginal item was included in the constitutional agenda at that time.

During this first phase of constitutional negotiations, Ontario supported inclusion of a section on aboriginal rights in the Constitution. The final version of the Constitution, the version which was presented, mentioned aboriginal peoples in three of its sections. These were section 25, which shields aboriginal and treaty rights from derogation or abrogation by the charter; section 35, which recognizes and affirms the existing aboriginal and treaty rights of the aboriginal peoples; and section 37, which calls for a first ministers' conference to identify and define those rights.

The second phase of constitutional consideration of aboriginal rights occurred after the Constitution was brought home to Canada in April 1982. As members will remember, Ontario still had a commitment to further the rights of aboriginal peoples. In keeping with this commitment, the province began a series of consultations with aboriginal groups from Ontario to ascertain their positions on the issues and to obtain a better sense of priorities.

It was also the government's hope that regular personal contact would lead to a greater mutual understanding of the issues involved on the part of all. At the same time, Ontario took part in a number of federal-provincial officials' and ministers' meetings to discuss and set the agenda for the first ministers' conference.

During the course of these consultations and meetings, it became increasingly apparent that it would be impossible to reach a consensus on all of the agenda items. Thirteen governments and four aboriginal groups were involved, all with differing views. In addition, the working agenda had grown to include 16 or more items, each of which would require extensive and detailed discussion.

Because of this situation, the government of Ontario recognized the need to concentrate on a few items that stood a good chance of being accepted by the provinces, the federal government and hopefully the aboriginal peoples.

We also recognized that it was of the utmost importance to achieve agreement on a further series of conferences or, as we came to term it during our meetings, "on the ongoing process," so that any unfinished business from the agenda could be dealt with in the future at conferences specified by the Constitution and would not be at the whim of any government of the day.

Along with the establishment of an ongoing process, last January the Premier (Mr. Davis)

identified two other items likely to obtain agreement at the conference.

The first item we called consultation. The aboriginal groups had been pressing for a constitutional amendment requiring their consent to any future amendments that affected their rights. Since this would in our opinion amount to a veto on certain constitutional changes, the government of Ontario was opposed to the proposal, as were most of the other governments, because we felt that such a provision would be at odds with the parliamentary and federal nature of this country.

We therefore looked for an alternative, and as a practical alternative to consent the Premier suggested a consultation provision. The consultation provision would require that aboriginal peoples be consulted on any proposed amendment dealing with aboriginal rights.

The second item that Ontario felt could receive quick agreement was equal rights for aboriginal women.

During the consultation process, the Ontario Native Women's Association had asked for Ontario's help in establishing the principle of equality between men and women with respect to aboriginal peoples. The group's concerns stemmed from past legislative discrimination under the Indian Act with regard to the determination of band membership, as well as some of the customs and traditions of some of the aboriginal peoples.

I would like to review for members some of the highlights of this year's conference.

In his opening statement, the Premier suggested that the first business of the conference should be to agree on an ongoing process. As other provinces spoke, a general agreement on some sort of ongoing process appeared to be emerging.

To further this growing consensus, it was agreed that the first ministers would begin to consider this long list of about 16 agenda items we had. It was also agreed that an evening meeting of ministers and officials would tackle the questions of the ongoing process and the possibility of a set of principles to guide the discussions under that ongoing process in the years ahead. The difficulty at this time was that there were not the necessary seven provinces with 50 per cent of the population, as required by the new Constitution, in favour of some manner of constitutional change.

8:20 p.m.

At the evening meeting—and I recall this very clearly—ministers and aboriginal spokesmen quite quickly reached agreement on the ongoing

ing process, but they differed on how we should achieve that goal. Some provinces preferred an accord approach—in other words, signing an accord rather than proposing a constitutional amendment. Ontario and some other governments maintained that the ongoing process should be entrenched in the Constitution. Still others felt that the conference should simply be adjourned and continued at a later date and that this would take away the need for either an accord or a constitutional amendment. A few favoured bilateral consultations between governments and aboriginal peoples.

After much discussion, and I guess as we have said many times, in the true Canadian tradition, a compromise was reached on an ongoing process: the compromise was an accord with entrenchment in the Constitution. That is, we said an accord would be signed committing governments to an additional conference within one year from the date of this year's conference, with the stipulation that each government would introduce in its own legislature by December 31, 1983, a resolution to entrench further conferences in the Constitution.

The accord would act as a bridge to ensure that the ongoing process continued until the amendment to the Constitution took effect. General agreement was also reached to include a statement of principles to guide the ongoing process.

I recall again that before the evening session closed an agreement was reached to proceed also with entrenchment of equal rights for aboriginal women and a guaranteed consultation clause.

What then happened was that officials of the federal government, having seen the wish of all the governments and aboriginal groups at our meeting that night, worked through the night to draft an accord that would embody the agreements that we had arrived at.

The next morning, March 16, when this draft accord was presented to the first ministers, it unfortunately met with immediate opposition. It was clear that ministers and aboriginal officials should have reviewed the draft in private rather than seeing it for the first time in the glare of a public meeting.

To my friend, the member for Renfrew North (Mr. Conway), these are my private recollections I am now giving him.

Mr. Conway: It is a peculiar view of cabinet solidarity, this public versus private opinion.

Hon. Mr. Wells: Anyway, I am telling the member what—

Mr. Conway: Leo Bernier said the Premier encouraged you all to have vigorous differences of opinion in cabinet.

Mr. Speaker: Order, please.

Hon. Mr. Wells: I have always respected cabinet solidarity. At times I think it has assisted all of us and it is incumbent upon a minister to indicate his private views and perhaps some of his private opinions.

Mr. Conway: The way you do that in the British parliamentary tradition is resign the executive cabinet and carry on.

Hon. Mr. Wells: None of the positions that I have presented to you would necessitate the drastic action that the ministers of the British House—

Mr. Speaker: We seem to be entering into a private debate here and I would ask the minister to proceed with his remarks.

Hon. Mr. Wells: I am just saying that this is my recollection, and my editorial comment on the events of that conference was that it was clear we should have reviewed the draft in private before all those at the meeting on the morning of March 16 looked at it, because the accord we had thought had been agreed to ran into opposition.

In order to save the accord, ministers, officials and representatives of the aboriginal groups were immediately instructed to reconvene privately to iron out the difficulties. Most of that second day we worked through that process and, thankfully, the final accord was reached just as the conference was scheduled to end.

That final accord is the accord which brings us to the constitutional amendment we are considering tonight.

Therefore, let us turn to the accord which was signed by 16 of 17 governments, the Assembly of First Nations, the Inuit Committee on National Issues, the Native Council of Canada and the Metis National Council.

The first item covered by the accord is a commitment to hold another constitutional conference. This conference will be a first ministers' conference and must be convened by the Prime Minister within one year of the conference completed on March 16, 1983. It is to include on its agenda those items that were not fully considered at this March conference.

The second item dealt with in the accord was an agreement by governments to introduce in their respective legislative assemblies a resolution to amend the Constitution Act, 1982. The proposed amendment was to be in four parts.

It was agreed to amend the Constitution to provide for two further constitutional conferences of first ministers and aboriginal peoples. The first conference required by the Constitution is to be held within three years after April 17, 1982; the second conference to be held within five years after that date. The agenda for each of these conferences shall include constitutional matters that directly affect the aboriginal peoples of Canada.

Second, it was agreed to amend the Constitution to provide that aboriginal and treaty rights are guaranteed equally to men and women.

Third, it was further agreed to amend the Constitution to provide for consultation with aboriginal groups whenever an amendment to the Constitution is proposed which affects their rights. The consultation will take the form of a constitutional conference called for that specific purpose.

Fourth, the final amendment guarantees that modern land claims agreements have the same constitutional status as existing treaties.

I said at the beginning of my remarks that I would comment upon the achievements of the March meeting. As a practising politician, achievement often means not necessarily agreement or consensus but sometimes progress towards an objective, particularly when we know that there will be a succession of meetings all working towards that objective. In this respect I would have to say that the March conference this year was a success.

First, as governments and legislators we did not stand still in terms of our constitutional commitment to aboriginal rights. We agreed to a process to ensure that governments and aboriginal leaders would have to meet to discuss these issues in the years ahead.

Second, we recognized that an innovative measure had to be placed in the Constitution to ensure that amendments desired by the wider Canadian community do not adversely affect the rights of our aboriginal Canadians.

Third, I believe we demonstrated to Canadians that our new Constitution with its amending formula had met the promises contained in it. It had proved in this first examination to be adapted to the evolving demands of nation building.

I want to devote my final remarks to the future and explain briefly some of my thoughts concerning the task ahead of us.

In just over three weeks, 16 governments and the four national aboriginal organizations will gather in Ottawa again to develop an agenda for

the 1984 first ministers' conference on aboriginal constitutional matters and to establish a work plan for our respective officials. I expect that self-government, a Metis land base, and culture and language issues will be at the top of the list.

How do these specific issues relate to the more general place of aboriginal rights in the Constitution? At the March 1983 conference, Ontario was not able to secure general support for the inclusion in a constitutional amendment of substantive guidelines which could state the desired relationship between governments and aboriginal peoples. A set of principles, we called them, principles that could have given direction to the future negotiations by indicating areas of common commitment between the governments and the aboriginal peoples, but we were not able to get the general support necessary to include that in this constitutional amendment.

I have no intention of prejudging the outcome of the 1984 first ministers' meeting. I do feel personally, though, that our task will be simplified and our route more certain if we can have the benefit of some principles to guide our discussions.

Let me then just indicate to you what I think these principles could be, and these are very close to the principles that we believed should have been included in the constitutional amendment to guide future constitutional conferences. The principles could be stated as follows:

That the aboriginal peoples are citizens of Canada and distinct peoples because of their occupation of the land since time immemorial and as such they have unique cultures and languages;

That the aboriginal peoples be entitled to various institutions of self-government within the Canadian federation;

That the aboriginal peoples be afforded the opportunity to benefit from the use of their land and waters as a base for the enhancement of economic opportunities and living standards of aboriginal communities and families, including the protection of their traditional livelihoods;

That the aboriginal peoples have the opportunity to participate fully and equitably in resource development.

8:30 p.m.

These principles would give us the focus for the leading aboriginal issues that need to be addressed. These issues are the unique culture, language and family life of the aboriginal peoples; the matter of self-government; participa-

tion in the benefits of resource development; and the economic use of their lands.

In conclusion, I wish to advise the honourable members that the Ontario Legislature is the seventh legislature to debate this resolution to amend the Constitution. It has been passed in the other six legislatures. The resolution embodies the work and the efforts of many people over a great deal of time. It captures some of the hopes and aspirations of the aboriginal peoples of Canada. It also provides a mechanism through which other goals of the aboriginal peoples may be discussed and, I hope, agreed upon.

Therefore, I would urge each and every member to give this resolution his careful consideration and support so that we may carry on the historic process to which we have committed ourselves.

Mr. Van Horne: Mr. Speaker, I tried as best I could to listen to the words of the minister and I was particularly interested in his closing remarks about what the principles could be. I would have to take it from this that his words mean they have not been totally accepted by the cabinet of the government of Ontario. If I am wrong, I hope he will clear that situation up for me.

Hon. Mr. Wells: Mr. Speaker, I think I said that while we were not able to get acceptance from the other governments of Canada for the inclusion of these principles, these were basically the kinds of principles we felt could have been included in this resolution tonight; in other words, here are the principles that will govern the ongoing discussions that are mandated in the Constitution; but we were not able to get that kind of agreement at the conference, so we reluctantly decided to accept an accord that did not include principles.

Mr. Van Horne: I thank the minister for that clarification. It is important not only to me but also to those people who are in our gallery who have a distinct and direct involvement in this entire process.

The minister at the beginning of his comments made reference to Grand Chief Joe Miskokomon, Donna Phillips and Mrs. Simard, and one or two other names which I did not catch. I believe Dan Russell, too, is in the gallery. For all of those people, this is extremely critical. It is critical for us, too, but they have been living with this situation since time immemorial, it would seem, and I think it is very important that we understand exactly what the minister meant in his final comment.

We on this side of the House are very pleased to join in this debate. It goes without saying that we are all aware of this being the result of the accord reached on March 16, 1983, to amend the Constitution of Canada. We are all aware of the fact that this is a result of dialogue of one kind or another between the aboriginal people and the political leaders of this country that has been going on since the royal proclamation of 1763.

I really had to wonder as I was walking down Wellesley Street at supertime how I might properly get into this debate tonight because, for whatever reasons, we each have to relate as best we can to the situation that is facing the aboriginal people in this country of ours. I let my mind wander a little bit and I went back to a neighbourhood I live in, a place that has a bit of a ring to it for those people who like literature. It is a little subdivision called Sherwood Forest.

Why I ever ended up in that is hard to say, except that when I look back on where I lived as a young person, in the north part of the city of London, we used to enjoy picnicking and romping around a place that was known, back in the late 1930s and 1940s, as Dead Horse Canyon. It was a place with all kinds of mythology that none of us could really pin down, but it had lots of mystique about it. Lo and behold, as I grew to a point where I could buy a house, I ended up in the subdivision on the edge of what used to be known as Dead Horse Canyon.

Of course, there were all kinds of wonderful stories that circulated about that place and how it got its name. I will recall distinctly forever the day I walked on a Saturday with two of my young children to a place where a foundation for a new home was being dug. I recall the excitement, the what to do with what had happened. What had happened was that the excavator had uncovered what was apparently the site of an Indian burial ground. I watched as the people from the university, from the local hospital and from the law authorities pondered what to do with the skeletal remains.

I wondered then what had changed to clear up the uncertainty that must have been in that person's mind when he or she died, one or two centuries back. Between that point and now, what has really changed between the relationship of the native people or the Indian people and the white man? I thought to myself, "Precious little, really. Precious little has changed." Maybe one thing could be significant in so far as the relationship is concerned, and that is that finally we have reached a point where we are

giving serious debate to the rights of these people.

As an aside for the benefit of the people who are members of this House, because I am sure those native people who are in the gallery are already aware of this, not too many yards away from where that discovery was made a few years ago in my neighbourhood, we now have an Indian archaeological museum, which is one of the highlights in our community. We should recognize the efforts of Col. Tom Lawson in the building of that particular spot and the members of the University of Western Ontario who worked along with him to get that museum on site.

Those are the thoughts that fell through my mind as I wandered along Wellesley Street, wondering how I could get into this. The ultimate conclusion that I came to was that, really, not a heck of a lot has changed between 1763 and 1983, except for this Constitution and except for what we are at right now, which is the opportunity finally to direct our attention as politicians—politicians, it is hoped, being people who can help to shape the destiny of the country and the people who make up the country—to this very critical issue.

We in the Ontario Liberal Party are committed to advance the justice and the cause of aboriginal people in this country. I want to make that absolutely clear. We in the Liberal Party are committed to advance the justice and the cause of the aboriginal people in this country. As such, we support this resolution. We do not, however, see it as a reason for particular celebration. I say so because this, we hope, is only the beginning of the process that will try to resolve the unfinished business regarding our native people and their rights under our Constitution.

Perhaps the great victory achieved at that conference was the fact that after more than 100 years the leaders of the aboriginal people and the elected leaders of Canada, as I have indicated, have finally got together to resolve this question. When I say the last 100 years, I could go back even further to 1763. I would say it is regrettable that it has taken so long to achieve the basis for a starting point to resolve the question of aboriginal rights.

8:40 p.m.

I listened as closely as I could to the words of the minister, who has given a lot of his time and effort to this particular cause, and I commend him for the work he has done. We are aware that this amendment to the Constitution provides for

another first ministers' conference with native leaders to be held within one year, or two or more conferences on native constitutional matters by 1987, to identify and define the rights of Indians, Inuit and Metis under the Constitution.

We are also aware that it guarantees that existing aboriginal and treaty rights would apply equally to men and women. We are also aware that the rights acquired through existing and future claim settlements are recognized and affirmed in the Constitution, and that it will require that native people be consulted prior to any changes in the Constitution affecting their rights.

We hope that future meetings will go farther towards constitutionally defining and guaranteeing native rights. On this point we would hope the government will put forward its position on defining the rights of native people, rather than reacting to native proposals.

We have some specific questions relating to this resolution. We would ask the government of Ontario, will it support the removal of the word "exist" or "existing" concerning aboriginal and treaty rights? This word may limit the definition of aboriginal and treaty rights to just those currently recognized by the courts. We think this is a limitation that should be removed from the amendment as it now sits. If it is not prepared to remove that word, is the government here in Ontario prepared to recommend that some further definition be added to that clause to make it clear that "existing" not be seen as a limitation on the parameters of those rights which it identifies.

Beyond that we would ask, does the government recognize the existence of both aboriginal and treaty rights in Ontario today? Will it specify which aboriginal rights it recognizes in this province? Does the government still support a charter of aboriginal rights for Indian people and does it believe that such rights as enunciated in the charter be entrenched?

At the beginning of my remarks I asked the minister for a clarification of what he had hoped the principles would be, and he explained that the principles were not acceptable to the rest of the country. I would like to go back and ask the government if it is prepared to support a statement of principles which would be written into the Constitution Act and which would deal with the recognition of the rights of aboriginal people? Is the government prepared to go back to the table to try to negotiate such a statement?

The minister made reference to the government's position on Indian self-government. I

would like him, if he or one of the speakers from his party has the opportunity, to go back and explain a little more fully his position on Indian self-government. Must we wait for the federal position to come out in front of us before we see the province really clarify its position on Indian self-government?

The government is inclined on occasion to speak in noble phrases on the need to protect native rights. However, we in the opposition on occasion are given to considerable scepticism. We find on occasion that their words are no more than hollow gestures in the light of their past actions in dealing with the problems that are facing the native people within their own jurisdiction.

The professed devotion of the Premier (Mr. Davis) "in finding real and lasting solutions to the problems of native peoples" means little when we examine the province's continuing shameful saga of the mediation process with the Whitedog and Islington bands regarding mercury pollution in the English-Wabigoon river system. Fully 13 years have passed since mercury poisoning contaminated the fish stock throughout that river system. Fully five years have passed since mediation efforts began to redress the damage caused by these events which were beyond the control of the native people.

The minister and, I am sure, the Premier will recall the words of Mr. Justice Patrick Hartt when the Premier accepted the establishment of the mediation process as an emergency situation, "What justification for immediate government action is required here other than decency and the restoration of human dignity?"

Yet all major issues remain unsolved because of the province's unco-operative attitude. This attitude can be summed up with some quotations from government cabinet ministers or former ministers. I should make it clear that some former ministers are included. I am just going to read some of the comments they have made.

I am quoting from 1976 and the Honourable René Brunelle, a former minister of this House. He said, "Economic development on Indian reserves is a federal responsibility." So they do the Pontius Pilate thing and wash their hands. In another quote from 1977, the member for Don Mills (Mr. Timbrell), who is still a minister of this House, said, "We don't know if the symptoms (from which the Indians suffer) have been caused by the fish, alcoholism or venereal disease."

In 1976 the member for Kenora (Mr. Bernier), another of our present cabinet ministers, said, "Ontario's policy is that there will be no compensation for industrial pollution. The courts are open to individuals to take on the polluter." In 1981 the member for Sault Ste. Marie (Mr. Ramsay), also a minister, said, "Any liability for damages would appear to lie with those whose actions led to the presence of mercury in the water and not, I would emphasize, the government of Ontario." In 1982 another former cabinet minister, the member for Lambton (Mr. Henderson), said, "Indians are the children of the federal government."

I ask you, Mr. Speaker, in all sincerity, how there can be any credibility in this government's sincere participation in the dialogue on native rights in view of this record. The minister started with glowing words, and I commended him for his efforts, but I would have to say the efforts of some of his colleagues have fallen far short of the mark. He and his colleagues now have the opportunity as a government and as spokespersons for the government at the debate table to bring some of the comments from the opposition members to light.

I do not want to end on a totally negative note. I want to remind the government of its shortcomings and I want to suggest it should go a little further when it goes back in discussing this resolution. There is a good case to be made for the word "exist" or "existing" to be removed. It is reasonable for the government to show us its sincerity by listening to these comments and to the comments of the Indian leaders, some of whom are with us in the gallery tonight, and to seek that these further changes be brought about.

8:50 p.m.

Finally, this government has a pretty poor record when it comes to assisting our Indian people in their attempts to get organized and to attend conferences such as the one we had in the spring of this year. I would ask that we look at the number of dollars spent in supporting the native people and ask the government if it could show a little more benevolence in this regard and provide adequate funding for the organizational work that is necessary for them, so that they too might be better able to represent the views of all of those people for whom they speak.

Thank you for the opportunity to take part in this debate.

Mr. Wildman: Mr. Speaker, it is a privilege

for me to lead off in this debate on behalf of the New Democratic Party, a debate which the government House leader, the Minister for Intergovernmental Affairs (Mr. Wells) described as historic. I agree that this is an historic occasion, the first opportunity that this assembly has had to discuss a constitutional amendment under a new constitution which is Canadian. It is indeed appropriate that the first debate and the first matter of business be one that deals with aboriginal and treaty rights.

I had the privilege of attending the constitutional conference in Ottawa in March at the invitation of the Minister of Intergovernmental Affairs as a representative of this caucus and as an observer. I thank the minister and the government for that opportunity. I considered it a privilege to be able to attend and observe what was, as the minister described, an historic meeting.

It is a pleasure as well as a privilege to be able to speak on this debate, but I think it is important for us, when we rise to support the amendment which is in line with the constitutional accord reached in March 1983, that we also bring some important substance to the debate on aboriginal and treaty rights in the province, and that we understand from the debate what the commitments of the provincial government are to the rights of Indian, Metis and nonstatus Indian people in Ontario, as well as their commitments to constitutional change.

During this debate I and other members of our caucus will be raising specific concerns that we have with regard to the commitments of this government to living up to the aboriginal and treaty rights that we believe this government should recognize in Ontario. Our party supports and affirms our commitment to the full involvement of aboriginal peoples in the process of revising the Canadian Constitution, particularly as it affects them and their rights. We see this as an opportunity to develop and strengthen the rights and freedoms of the aboriginal people of this country and this province.

Aboriginal people in Canada have the right to expect to be dealt with justly by Canadian society. In the past Indian peoples have entered into treaties and agreements with the crown, whether that be originally the crown in the name of the British government—the Imperial crown—the federal government or in right of the province. They reached those agreements and, unfortunately, all too often those agreements were arrived at without a full understanding by the aboriginal people who were a party to

them. If they had been aware of the full implications of some of the terms they agreed to, they would not have accepted them.

Moreover, governments have not even respected those terms or, in some cases, while they have respected the letter of the terms of the treaties and agreements, the spirit of those agreements as they were understood at the time have not been recognized and lived up to by the governments either at the federal or provincial levels in Canada.

In my view, the worst blemish on the history of Canada has been the failure of Canadian governments, federal or provincial, to uphold the rights recognized for native peoples at the time of the negotiation of the treaties. It is my view, and this is shared by many others, that the treaties were really political agreements between political groups. Unfortunately, they have not been treated that way and given precedence by the courts over legislation passed by subsequent white governments. I think we have the opportunity now, while we affirm our commitment to this ongoing process, to right some of the wrongs of the past.

We in this party support the amendment as it is proposed since it is in line with the accord and since it provides for further constitutional conferences involving the Prime Minister and the first ministers and representatives of the aboriginal peoples, as well as representatives of the territorial governments where they are affected.

I also understand this accord and the commitment to further meetings is not in any way intended—and I certainly hope it is not intended by any governments in this country—to be an attempt to have an ongoing dialogue on how somehow to limit the rights of aboriginal peoples in this country, but rather to define as widely as possible what those rights are and to entrench them in a Constitution.

Like my friend from the Liberal Party, I have serious concerns about the continuation of the word “existing” as it is used in the Constitution. It does appear this word could be taken to mean that aboriginal and treaty rights are just those ones that are now recognized by the courts to be in existence. I recognize the federal and provincial governments have stated this is not necessarily the case, nor was it the intention of the drafters of that section of the Constitution.

Like my friend from the Liberal Party, I ask the government House leader, is this government prepared to fight for the removal of the word “existing” from the Constitution in order to ensure it does not in any way limit the

aboriginal peoples' rights which are to be entrenched in the Constitution? I think it is incumbent upon this government, if it is indeed committed to the recognition of aboriginal and treaty rights that may be so acquired by issue of land claim agreements in the future, that it make it absolutely clear by fighting for the removal of the word "existing," or at least for the added definition of what that word actually means to the extent that it is not meant to limit the rights of the Indian people, the Inuits, Metis and nonstatus Indian people of this country.

I hope that during this debate we will gain some understanding of what this government means by aboriginal rights and what kind of commitment it has, not just to recognizing those rights and to negotiating their inclusion in the Constitution, but to enabling the aboriginal people who live in Ontario to exercise those rights.

I sincerely hope the constitutional conference that is now coming and the subsequent ones will lead to concrete progress. I think we must have concrete progress. We cannot have a situation where we just continue to agree to continue to talk. We must continue to talk, obviously, but I would certainly hope we could move beyond that to actually making some progress in defining what those rights are.

9 p.m.

I note that in the government House leader's remarks he talked about the consultative process and referred to the request that has been made by the aboriginal organizations that there be a consent clause included in the Constitution to ensure the rights recognized and entrenched in the Constitution cannot somehow be changed bilaterally by governments, but that they themselves will be able to have the right to say yes or no to a change that affects their rights.

I understand what the minister has said about the difficulties with that in regard to the British parliamentary tradition and the parliamentary tradition of this country, but that does leave the question of what this government means by a guarantee of aboriginal and treaty rights. Does it just mean a guarantee of consultation regarding changes in aboriginal and treaty rights? If that is the case, I doubt that the aboriginal peoples of this country will be satisfied. I hope the minister will be able to clarify that matter before the end of the debate.

One of the great advances made at the conference in March was the commitment of the governments of this country and of the aboriginal organizations, as representatives of

the aboriginal peoples of this country, to recognize the equality of the sexes as it relates to aboriginal and treaty rights.

The problems of the past relating to the Indian Act and the definition of band membership are examples of the kinds of problems resulting from the incomprehensible rules made through the years by white governments trying to deal with Indian problems, managing Indian affairs and dictating to Indian communities. We all welcome the change agreed to at the conference which said that female and male persons will be treated equally and their rights guaranteed equally under this constitutional change.

I want to deal at some length with the question of what is meant by the new term "or may be so acquired" when it relates to land claims agreements. This is welcome in the sense that the current subsection does not recognize future negotiated land settlements and resultant rights. The new term makes it possible for those future settlements to be considered the same as treaties and for the rights accompanying them to be entrenched. But it does raise a couple of other questions.

What does it mean, for instance, in speaking of land claims relating to lands that have been or are thought to have been reserved for the Indian peoples of this province and this country in the past but have since been lost, and the rights that are related to those lands? If those land claims are revived and the federal and provincial governments are involved in negotiating settlements that will lead to future agreements, the clause covers it; but what about disputes that cannot be resolved through negotiation? Are we to continue having to revert to the courts, with all the difficulties, expense and waste of resources, in my view as a nonlawyer, that entails?

The member for London North (Mr. Van Horne), who spoke previously, asked a question regarding a charter of rights for Indian people which might be entrenched in the Constitution. I understand the Ontario government has supported this idea in the past, and in the meetings the minister referred to before the conference that was held in March, the meetings with the aboriginal organizations, this question was raised by representatives of the government bureaucracy. But I would like the minister to clarify whether the government still supports this position; and if so, what attempts will be made at the next conference to have this matter dealt with.

The minister's statement, although it reiterates a number of times a commitment to aborig-

inal rights, leaves unclear what the government of this province means by aboriginal rights. In my view, aboriginal rights stem from the national rights enjoyed by the Indian tribes and Inuit groups that were established on this continent before European colonization. They were not granted, in my view—as is the view, apparently, of many courts and of many others in this country—by the British through the proclamation of 1763. It seems to me that aboriginal rights must be related to a relationship of the people with the land that existed long before Europeans came to North America.

The question of aboriginal rights must be defined, and I hope that in this debate the minister will do that. It is not enough to say we are committed to it; we must know what we are committed to. It would be much easier to understand the government's attitude on land claims in this province if we knew its actual definition of aboriginal and treaty rights.

This morning my colleague the member for Lake Nipigon (Mr. Stokes) and I met with representatives of Treaty 9 and the chief of Lansdowne House. We talked briefly with them regarding a problem that has been going on for the so-called satellite communities of the Fort Hope band for some time. If I talk a little bit about this problem, I think I can demonstrate the problem we have in understanding what this government's commitment is to land rights and land claims.

In 1981, the chiefs of Lansdowne House, Webequie and Summer Beaver met with the Minister of Natural Resources (Mr. Pope) and the legislative assistant at that time to the federal Minister of Indian Affairs and Northern Development and presented them with a draft memorandum of agreement to negotiate a resolution of the lack of land status for the three communities I mentioned. That was in 1981. This problem is still going on, and it has not been resolved.

Over the next few months after that proposal was made, five drafts were made of the original agreement that was proposed. There seemed to be a problem with the question of whether these communities, which are on crown lands, have aboriginal right and/or treaty right to their land. Eventually, though, by the end of 1981 the negotiators for the three parties came up with an acceptable draft for all three parties.

However, when the federal and provincial negotiators took the agreement back to the federal and provincial cabinets for signature,

apparently the cabinets at both the federal level and the provincial level balked. The federal department apparently felt it was being asked to write a blank cheque for the land, because it would have to pay the provincial government for the transfer of provincial crown land and it was unable or unwilling to do that.

9:10 p.m.

Subsequent to that, the Minister of Natural Resources took it upon himself to try to resolve the problem all by himself. He decided he was going to transfer community land to the elders of the three communities via a fee simple arrangement. This was done without any warning. After extensive discussions the three communities returned the deeds to the province, saying they did not want land in fee simple; they wanted reserve status. They did not want to own provincial land.

These problems facing these three communities are not unique. There are 15 other communities that are so-called squatters on provincial crown land. The question of their rights to that land remains up in the air.

This problem has been debated back and forth by people from both levels of government for more than 20 years, and it still has not been resolved. The only case where this has been resolved was when the Big Trout Lake communities agreed with the federal and provincial governments for a transfer of land. In that case, the provincial government agreed to allot additional lands to the satellite communities and agreed to their identification as reserves. But that has not occurred with the others.

If the government is committed to the recognition of land claims and to aboriginal rights and treaty rights, as the minister says, why have these problems not been resolved? In general, the provincial government has taken the position that any new reserve lands must be created from already allocated land.

The federal government has argued that Ontario is demanding that land be purchased at inflated market values. The federal government is also demanding that the so-called parent band must agree to the creation of new reserves, and land from the existing reserves should be allotted for new reserves.

In other words, what is being proposed is that if the so-called satellite communities are to be given land that will have reserve status, the so-called parent community will lose land. I ask you, Mr. Speaker, would governments committed to aboriginal rights, as the minister has said,

demand that to bring about an agreement?

My colleague the member for Lake Nipigon will be going on in more detail on this kind of problem with regard to the aboriginal peoples' rights to land. I hope we will see something from this province—before this is debated at the constitutional conference—which will lead to a resolution of these problems.

I also want to refer to another land claim in another area of the province. It is the Athabaska land claim, which is a claim for a strip of land near the Lake of the Woods, consisting of about 1,600 acres of land.

Apparently this piece of land was originally an Indian reserve; the title of the land was transferred from Ontario to Canada for that purpose. However, in 1930 the provincial government started opening the land for development, apparently through some error in its records which failed to show that the land was really a reserve. In researching the dealings and correspondence between the provincial and federal governments, the federal government also apparently made the same error and came to the conclusion that the land was not a reserve; so the land was sold.

In 1977, however, the land claim was put forward and both the federal and provincial governments admitted their errors. Settlement negotiations started about three years ago and proceeded with some progress to the point where the bands involved put forward their entire position and believed that negotiations were close to a conclusion.

A meeting was set up in early July of this year to receive a response of the federal and provincial governments to the Indian position. That meeting was convened in Toronto, but for some reason the Ontario government was represented by people who had not been party to the previous negotiations and those individuals stated they had no instructions on how to proceed. As a result, they could not reach a settlement of the claim. They were arguing that they would have to start over again and sort out with the federal government who was responsible for the mixup in the sale of the lands and how that responsibility would be divided between the federal and provincial governments.

It seems to me most unfair that the provincial government would make this kind of statement at the 11th hour just before everyone expected there was going to be a settlement of the claim. It certainly does not indicate to me that this government is committed to the settlement of

land claims and to aboriginal and treaty rights in this province.

As with many other land claim problems, this matter has been referred to the courts because an out-of-court settlement has not been reached. It seems to me a government that was really committed, and not just committed in rhetoric, would be meeting with the Big Grassy Band and the Sabaskong Band to resolve this and other land claims in the province.

I do not have to mention—and I will not, because it is before the courts—the long history of the Bear Island claim, but again it is an example of how committed this government really is.

I want to deal with some other rights which I believe must be recognized by this government and by the federal government and which must be entrenched in the Constitution. This is in no way intended to limit rights or to have me stand up here and say these are the aboriginal and treaty rights that must be recognized; they are ones I think are important and must be dealt with though.

Obviously related to land is the right to the resources on that land, the right to hunt, fish, trap and harvest, without interference. We have seen a long and inconsistent application by the courts and by governments of the treaty rights to hunt and fish in this province. In the not too distant past, we saw the Moraviantown raid. I hope a commitment to the recognition of aboriginal rights will mean we will not have any more of those kinds of activities by peace officers in this province.

I will give the government credit. An attempt was made by the Minister of Natural Resources to resolve fishing rights through negotiations last year, which led to the so-called Indian fishing agreement. I hope this government will make the status of that agreement clear. The Minister of Natural Resources made a statement recently that "the agreement was dead"—those were the words he used—as far as he was concerned, because the federal government had not ratified it.

I hope that is not an indication that the Minister of Natural Resources has been under so much pressure from other ministers of this government and from certain other interests in the community not to proceed with the Indian fishing agreement, and that he is now trying to look for a scapegoat and excuse to get out of it.

I congratulated him at the time he brought that forward. While it was anything but perfect,

it was his first step towards rationalizing and putting an end to the inconsistency in enforcement of treaty fishing rights. I would hope that eventually it might lead to an agreement in terms of hunting rights, by this government and by the courts.

It was a step towards co-management of the fishing resource by the bands and by the government. There was an attempt to look for ways to have self-regulation, where band councils could be involved in determining what regulations would be set for their people with regard to the harvest of the fishing resource in Ontario. In my view, if we are committed to conservation and to sustained yield, whatever that means, this kind of agreement and involvement by Indian bands across Ontario is essential. We cannot allow the same kind of buck-passing that has occurred so often in the past between the federal and provincial governments to wreck this agreement.

9:20 p.m.

I understand the federal authorities have disagreed with the Ministry of Natural Resources and said: "No, the agreement is not dead. They would like to discuss changes;" and so on. To be frank, I have not seen any great eagerness from that government to resolve whatever differences there are. It certainly leaves the way open for further discussion, and I hope the minister can tell us that this government is indeed going to proceed with trying to bring the Indian fishing agreement into effect through an agreement with the federal government.

I recognize there are some Indian organizations that do not support the agreement. I do not think we are ever going to reach unanimity on these very complex and difficult issues. There was, however, substantial support for the agreement from the Indian community when it was brought out. As I said, despite the pressures experienced by all of us in this chamber with large expanses of northern Ontario as parts of our riding, we in this party support proceeding with that agreement.

I can point to another example of what I think is a lack of commitment by this government towards aboriginal rights. I refer to the sorry tale of the wild rice moratorium. It seems to me that this government, responding to a lot of pressure, agreed rather reluctantly to a moratorium on the issuing of licences for wild rice harvesting over a five-year period. This experiment was to see how that resource could be developed to benefit the Indian people. We know the problems with weather, water levels

and so on that made the five-year period inappropriate to carrying out a real experiment, yet the moratorium was allowed to lapse. I do not know the government's present position with regard to wild rice licences. I hope that will be made clear.

In our view, the wild rice resource is part and parcel of the treaty and aboriginal rights of the Indian people. It should be a real economic base for many Indian communities. The Indian people must be involved in the control and development of that industry. They must be on control boards that regulate the water levels in the lakes that are important for the wild rice. We must be moving, especially with Ontario Hydro, to stabilize the water levels in the lakes so that the wild rice resource will be able to grow and be harvested effectively.

I believe this provincial government should be assisting in establishing an integrated wild rice industry in Ontario, involving the harvesting, processing and marketing of wild rice for the benefit of Indian communities.

Aboriginal and treaty rights to land, in my view, must also encompass compensation for the loss of forest and mineral resources from lands reserved for Indian people in this province.

Over and over, ever since I was first elected in 1975, I have raised the question of the status of the 1924 land agreement. In eight years I have never had a straight answer. Frankly, I do not think most of the ministers over there, especially the ones involved with Indian affairs and natural resources, know anything about the 1924 land agreement. I see a member shaking his head. It has been almost 60 years, and we keep getting the whole thing bounced back and forth between the federal and provincial governments.

It may proceed that we will be able to celebrate the bicentennial of the 1924 land agreement without finally getting it resolved. I hope not. My colleague the member from the Liberal caucus mentioned the sorry history of the mediation process with the Whitedog and Grassy Narrows reserves in northwestern Ontario. I think it really does point out the lack of commitment on the part of this government. Since this first started in 1970 we have had three or four Ministers of Natural Resources. I think we have had even more Provincial Secretaries for Resources Development. The matter still is not resolved.

Mr. Martel: What do they do?

Mr. Wildman: They seem to convene meetings between Indian people and Indian organi-

zations and other ministers. It seems to be their job.

I will not refer to the comments of the former secretary about Indian people. I do not think he really understood most of the issues.

In this regard I have just received a copy of a letter, dated August 31, to the Minister of Natural Resources from Chief Isaac Mandamin of the Islington band. I will read it into the record. It says:

"Dear Mr. Minister: It is most unfortunate that I have to bring this matter to your attention. Perhaps you will better appreciate the attitude of your Kenora office district manager and the type of frustrating situations which develop regularly between Kenora chiefs and Mr. D. McGregor.

"Some time ago the province of Ontario agreed to supply fresh fish on a regular basis to the members of my band as a result of the pollution of the English-Wabigoon river system. The last shipment of fish by your ministry was in the early part of May 1983. Since then the band has made two written requests to have the freezer restocked. To date, we have received no fish, and as Chief, I am having difficulty persuading my band members not to set nets for fresh fish on other nearby lakes."

They cannot even keep the freezer stocked. After the whole economic base of a community is ruined through the mercury pollution that resulted from the economic activities of the companies in the area, rather than doing something about it the government at one point said, "All right, we'll give you fresh fish so you don't fish in the contaminated waters." They cannot even keep the freezer stocked. What kind of commitment is that?

I understand we have a new Provincial Secretary for Resources Development (Mr. Sterling). I hope he is going to attempt to resolve this problem and get the mediation process on track. I understand the federal minister has made attempts to resolve this problem, but I think it is useful for us to look at the history of this.

9:30 p.m.

The Ontario government signed an agreement to mediate the mercury pollution settlement with the Islington and Grassy Narrows bands on December 15, 1978, eight years after the problem first was identified. This mediation was recommended by the Hartt royal commission in view of the lack of interest by the province and the paper companies between 1970 and 1978.

From the spring of 1979 through November 1982 the Islington band treated the process seriously and attempted to negotiate with the provincial government in good faith. Unfortunately, little was achieved, as the province was not prepared to put forward a package of substance.

In November 1982 the band advised the Premier's office that it would be announcing publicly a final termination of discussions with the provincial government because of lack of provincial commitment to a meaningful process. In his reply to the band the Premier (Mr. Davis) suggested a 60-day process that had been recommended by the band, that process to commence on December 1, 1982, and to terminate on January 31, 1983. The Minister of Natural Resources was designated as the principal Ontario representative.

The band agreed to that proposal and some progress was made. Again I have to give credit in this case to the Minister of Natural Resources, who did attempt to get something going, to the point that in late January 1983 an agreement resulted and a draft was written, dated February 22. After a number of minor alterations the band accepted the draft—the alterations did not change the intent or the content of the agreement in any way—and that draft was signed by the chief in council and delivered to the Premier's office on March 14 of this year, right around the time of the constitutional conference.

However, instead of accepting that draft and reaching an agreement, provincial ministers apparently entered unofficial negotiations with a citizens' committee from the Kenora Conservative riding association. It also involved other members of the Kenora community, the mayor, the reeve of Ear Falls and others, apparently a committee of up to 18 people.

The former Provincial Secretary for Resources Development in May 1983 forwarded it to the band stating it had been altered only to clear up the language, but in fact it was drastically changed. A \$1-million greenhouse went from ownership of land and buildings to a lease arrangement; the land and the buildings could be recovered by the provincial government at a future date. This, of course, was totally unacceptable to the band and was anything but just an altering of language.

I submit that this process is another example of a lack of commitment by this government to the settlement of land claims and a lack of commitment to aboriginal rights and to the

economic base of Indian communities in this province.

The band, as I understand it, is prepared to continue the negotiations and to attend a meeting with the Premier, the Minister of Natural Resources and the Provincial Secretary for Resources Development (Mr. Sterling). They naturally feel betrayed by the actions of the former secretary, which seem to have been aimed at pacifying the people of the town of Kenora rather than at resolving the problem and bringing about a settlement.

If this government really has any kind of commitment to the native people of this province, it will resolve this mediation process once and for all.

Obviously, if we have a commitment to treaty rights, aboriginal rights, the settlement of land claims, then we have to recognize them in terms of resources. Too often in the past the resource rights, whether they be hunting and fishing rights or land rights of the aboriginal peoples of this country, have been overridden by legislation, be it the Migratory Birds Convention Act, the Fisheries Act or by provincial law, so much so that the Supreme Court of Canada has agreed treaty promises have been broken and injustices have been done in the past.

We all recognize injustices have been done; but it is not enough to recognize that, we have to remedy it. We could start by remedying the injustices we have done to the people of Grassy Narrows and Whitedog.

I believe we require constitutional protection for Indian resource rights, not just in relation to hunting and fishing but also in relation to mineral and timber rights on reserves and to the real settlement of land claims.

I would like to point to one other example of the commitment, or lack of it, to aboriginal rights and treaty rights by this government. That relates to the exemption from taxation, which was recognized by the treaty. The fact that income taxes and sales taxes had not been instituted or were considered temporary aberrations when most of the treaties were signed is no excuse to abrogate the spirit of the treaty exemption from taxation, in my view.

We have a history in this province of changing regulations with regard to the sales tax exemption for Indian peoples. At one time or another the government has said that if a person lives on a reserve and purchases goods on a cash-on-delivery basis to his home on the reserve, he will not have to pay sales tax. On other occasions they have changed that and said, "Well, yes, we

recognize that there is a treaty tax exemption, so that even if the person lives on the reserve but purchases the goods off the reserve, he should not have to pay sales tax."

I participated in a discussion between officials of the Ministry of Revenue and a number of bands from the north shore of Lake Huron, the north channel area, a few years ago. We finally got agreement from Revenue officials that the sales tax exemption would apply, even if goods were not delivered and paid for on the reserve, as long as the people lived on the reserve.

However, when the sales tax was subsequently changed in the budget, so that we had an ad valorem feature and we also had the application of sales tax to inexpensive meals, that all went out the window. We are back to the point where if you purchase a hamburger at a McDonald's in Sault Ste. Marie, across the road from the Batchawana reserve, the Rankin location, you have to pay sales tax, even though you are a member of the Batchawana band.

I ask you, is that a commitment to the recognition of the treaty rights? I believe we must have not just rhetorical, or even a constitutional commitment to those rights, we must have a substantive one.

9:40 p.m.

I would like to speak for a few moments about the comments made by the minister on Indian self-government. In his statement the Minister of Intergovernmental Affairs said this government favoured the recognition, and certainly the aboriginal peoples of this country and their organizations want a recognition of their governments as an order of government within Canada. As we know, a federal special sub-committee on Indian self-government has been travelling around the country having hearings and receiving submissions and that committee is supposed to be releasing a report this fall. I hope this government during this debate can make clear what it means by the Indian self-government it says it favours. I do not think we should have to wait for the federal parliamentary committee to come down with its report.

This party believes aboriginal peoples have the right to control their own affairs and pursue their traditional living undisturbed. In order to do that, they must have sufficient resources to support themselves. They have the right to govern themselves according to their own forms of government. That includes the right to establish and control their own schools and educational programs and other social programs.

I believe education is central to the preservation of culture. In the past, the type of education provided to the native peoples has been subject to the caprice of white politicians and bureaucrats. Fortunately, there now seems to be a general agreement that native people should have maximum control over their own education. The only guarantee that aboriginal peoples have of gaining ultimate control in as culturally important an area as education would be a constitutional guarantee of their right to exclusive jurisdiction over the education of their children.

Obviously, if we believe in the preservation of culture, we must accept the right of aboriginal peoples to safeguard sacred places and to preserve and practice their religion, customs, culture and languages. I believe control of education is necessary for that to take place.

It is not enough, though, for us to say that we favour forms of Indian self-government or even to try to define them if we are not prepared to co-operate with the federal government to provide sufficient resources to enable Indian peoples and other aboriginal peoples in this country to administer the programs over which they are to have control. It is not enough to accept the right to self-government; we must facilitate Indian self-government. The governments of this country must be prepared to provide sufficient resources to make the rhetorical commitment to Indian self-government meaningful.

I may have appeared to be somewhat negative in my comments this evening. I have tried not to be. I have tried to deal with what I see are real problems with regard to the commitment of this provincial government to aboriginal rights and treaty rights in this province. I look forward with optimism, however, to the ongoing process and to the next conference. I believe we must make concrete progress, and I believe if this government makes clear what its commitments really are in this debate and prior to the next conference and the following conferences, concrete progress will be possible.

I believe the alternative to progress at the next conference will be an explosion of legal battles involving both the federal and provincial governments. The costs would be staggering. Not just the financial costs, but the human resources that would be wasted would be far too great. The end results would be unsatisfactory to both the Indian and non-Indian communities in this country.

While I welcome the words of the minister on behalf of the government that there is commit-

ment to the ongoing process, to constitutional change, I do not believe we should be waiting to begin to solve the problems facing the aboriginal peoples of Ontario until the constitutional process is completed. I believe we must institute programs now to deal with the conditions faced by Indians and Metis people in this province. We do not need to wait. I believe we should be reaching the land claims agreements as soon as possible and doing everything we can to facilitate them. If we do that, then we will indeed have achieved a great deal and we will be looked on by other countries in this world as a leader in the recognition and support of aboriginal rights in this country.

Mr. Gordon: Mr. Speaker, it is with a very real sense of pride that I rise to participate in this debate on the proposed amendments to the Constitution of Canada. This is a motion unlike any other which has ever been before this House. This is in the truest sense a historic occasion. For the first time, we in this assembly are being asked to debate amendments to the Canadian Constitution, which may be adopted without recourse to the Parliament at Westminster. In my view, there can be no debate more important, no issue which can make us more aware of our responsibilities as elected representatives of the people than a debate which would result in amendments to the fundamental laws of this great country.

I am also proud to be able to take part in this debate because of the substance and the nature of the amendments themselves. It is only right that the first amendments to our repatriated Constitution should address the rights of the first peoples of Canada.

Finally, I am proud to participate in this debate because it proves that our process for amending the Constitution can work. The fact that these amendments are before this House demonstrates that our Constitution is not cast in stone; rather, both the Constitution and the process for amending it have the flexibility necessary to operate effectively in a country as diverse as Canada.

It is a privilege to be part of that process. All honourable members are aware that in terms of our relations with the aboriginal peoples we have travelled a long road from the royal proclamation of 1763 to those amendments which are before us tonight. No one could pretend that it was an easy road. At times our relations have been strained by mistrust, misunderstanding and bitterness. There are those who would argue that the situation remains unchanged.

I, however, reject that view and believe the simple fact that we are debating these amendments demonstrates that our relations have significantly improved. These amendments are themselves no mean accomplishment. The future state of our relations with the native people in our society and the role that they will play in our national life will be determined by these amendments and the meetings that grow out of them.

I would point out to members that the constitutional accord on aboriginal rights has already been ratified by the national body of Indians in Canada, the Assembly of First Nations. The assembly endorsed the accord on May 17, 1983, at a meeting in Winnipeg. I would also note that the executive council of the chiefs of Ontario have encouraged this House to give prompt approval to this resolution.

9:50 p.m.

In a release dated May 27, 1983, the executive council said, "Today we commend the government of Ontario for being the first non-Indian government in Canada to begin the process of ratifying the accord." The executive council went on to say, "We trust that all legislatures in Ontario and across Canada will act promptly to adopt the resolution to amend Canada's Constitution."

Honourable members and Mr. Speaker, for too long the special rights and status of the first nations of Canada have been denied by settler governments. It is historic that the first amendment to Canada's Constitution should begin to correct this injustice. The 70,000 Indians of Ontario expect and have every right to expect that this House will ratify these proposed amendments. With these amendments, we have indeed arrived at what the national chief of the National Indian Brotherhood has characterized as a watershed in Canada's Indian-white relations.

As members will know, under our amendment process an amendment to the Constitution can only be adopted on the approval of seven provinces with 50 per cent of the Canadian population. I have every confidence that Ontario will be one of those provinces, and I personally can lend my unqualified support to these amendments.

I believe this House would support these amendments for a number of reasons. First, these amendments will build on and enhance the legal recognition afforded native people in the Constitution Act of 1982. That act is in many ways unique, especially section 35, which recognizes and affirms the existing aboriginal and treaty rights of our native people and defines

aboriginal peoples to mean the Indian, Inuit and Metis people of Canada. Through that section we became one of the very few nations to recognize and affirm in its constitution the existing rights of aboriginal people. It also represents the first time that an act of parliament defined aboriginal peoples.

Second and most important, these amendments, particularly those proposed in section 37, will establish the means to settle with our aboriginal peoples certain constitutional questions which had been left unresolved by both the Constitution Act of 1982 and the accord of last March. As I am sure all members are aware, there are a number of very important questions which remain to be resolved. To my mind, the most important outstanding issue is a precise definition of the aboriginal rights which will be protected by the Constitution. The additional constitutional conferences provided for by the proposed clause 37(1)(i) will ensure the existence of a forum at the highest level of government where ongoing discussions of this and other issues can occur.

I will leave it to those more qualified to debate the legal implications of these amendments. To my mind, the substance of these amendments might be quite simply stated. By endorsing these amendments, we are being asked to support the process of identifying and defining the rights of aboriginal people. We are being asked to support a process which will give substance to our constitutional principles and commitments. We are being asked to abandon the old paternalism which too often found expression as malign neglect. In its place we are being asked to co-operate with our aboriginal peoples in building new social, legal and constitutional relationships which will enable them to determine their own future with dignity and confidence.

I have no doubt that this Legislature will respond positively to this challenge and opportunity. In Ontario we have always believed that progress in this area is best achieved through consultation with our aboriginal community. The policies of this government are based on and reflect that philosophy. We have a range of programs which focus on the native community in our province. The common element in all of these programs is the emphasis placed on the importance of communication and native involvement.

This commitment to consultation is most evident in this government's participation in tripartite discussions and continued support for the tripartite council established in 1978. The

council provides a valuable arena in which matters of interest to the province, the federal government and Ontario's native groups can be reviewed.

I cannot pretend that consultative tripartism or the bilateral discussions which take place between the Provincial Secretariat for Resources Development and Ontario native groups have successfully resolved all the problems in government-native relations in Ontario since there are a number of important issues still outstanding. However, this government is, in all instances, dealing in good faith with Ontario's native peoples.

I would also point out that this government fully supported the efforts of major native associations in this province to prepare for the constitutional conference of March past. As part of the process of preparing the province's submissions to the March conference, the Provincial Secretariat for Resources Development as the lead ministry for native affairs held a series of meetings with the major native groups and associations in the province. In addition to consulting with these groups, the government provided funding to assist them with the costs of consultative meetings, both with their members and the government.

I am sure that the members will be pleased to know that the secretariat will continue to consult with these groups in preparing for the next first ministers' conference on aboriginal rights. I would also bring to the members' attention the fact that this government remains committed to helping native groups in this province adequately prepare for that conference.

Mr. Wildman: Give them some money then.

Mr. Gordon: I note that just last month the Ministry of Citizenship and Culture approved a grant of \$27,600 for Grand Council Treaty 3 in Kenora.

Mr. Wildman: Exactly the same amount as last year. What about inflation?

The Acting Speaker (Mr. Cousens): Order.

Mr. Gordon: This grant is intended to be used to assist the Grand Council in its preparations for the 1984 first ministers' conference on aboriginal and treaty rights. This type of activity, this type of support, indicates this government's commitment to constitutional change in the area of native rights extends beyond the mere rhetorical.

I would be remiss if I did not in this debate make note of the lead role the province of Ontario played at the March conference and of the significant contribution made by the province to the attainment of the accord.

Mr. Haggerty: Where has the member been for 40 years?

Mr. Gordon: In particular, I hope we can put aside partisan differences to acknowledge that the Premier of this province (Mr. Davis) was instrumental in keeping aboriginal rights on the constitutional agenda of this nation.

Mr. Wildman: That is right, and also in the courts.

Mr. Gordon: As early as the 1979 first ministers' conference on the Constitution, the Premier of Ontario was arguing that constitutional reform would be deficient unless the issue of aboriginal rights was addressed. Again, in September 1980, during the final debate of the first ministers on the Canadian Charter of Rights and Freedoms, the Premier spoke of the obligation to consider aboriginal rights in the broader context of a Charter of Rights and Freedoms.

If any member would care to review the record of the March 1983 conference, he or she would find that Ontario's proposals were not only well received but are much in evidence in the amendments before us tonight.

10 p.m.

I would also extend a word of appreciation to the provincial and national aboriginal leaders who participated in the March conference. Their obviously strong commitment to their cause was matched only by their negotiating skill and knowledge of the issues. To them must go much of the credit for the success of the March conference.

These proposed amendments to the Constitution of Canada offer the possibility of a new beginning for relations between our races. They will not in themselves cure all the ills or heal all the wounds. They will, however, provide the foundation on which we can, working together, build a better tomorrow for the native peoples of Canada and Ontario.

Much remains to be done. The terrible social problems that beset our native peoples must be dealt with quickly and effectively. Any solutions, however, will be and must be based on trust and mutual understanding. We still have a long way to go, but we can take a step in the

right direction by supporting the resolution that is before us tonight.

Mr. Peterson: Mr. Speaker, it is not my intention to rehash a number of the facts that have been given tonight in recalling the history of the negotiations through the eyes of the Minister of Intergovernmental Affairs. I also had the privilege of hearing Chief Billy Diamond speak about those negotiations from the point of view of the negotiators for the aboriginal people and it was, I think it is fair to say, a little different story. But the facts are that the results have come out pretty much the same.

In many ways this is a very happy day for us, but it is not a completely happy day. As I listened to some of the speeches, I did so from almost a bitter-sweet or happy-sad point of view. I do not think we should deceive anybody about what we have accomplished. We have not accomplished a great number of substantive reforms. What we have done is to institutionalize a process, and I say that is progress and I very much support it. Given the hundreds of years of no progress, one should be grateful for any movement at all.

It is an indication from all sides of the House, from many levels of government and in many governments across this country that it is our responsibility to rectify historic injustices. It is a sad reality that history cannot be changed, but it must be acknowledged and understood for use both as a foundation on which to build the present and as a measuring stick by which to guide us in the future. The history of Canada is, as well, a history of the natives. We pay homage to that history in the very wording of the resolution before this House.

But as I sat and listened to this debate today, I sensed the agreement on all sides of the House and I thought back to exchanges earlier in the House today and other days and to the same minister who participated in those things. I think we are making progress here; we have recognized the need for a process to solve historic injustices. If we can do it here, why can we not do it in other areas as well?

It is not my intention to dampen the feeling of this debate or the important principles inherent in this debate. But why are we so parsimonious of spirit in other areas as well? There is a new feeling sweeping this country and a new spirit of generosity coming from all quarters of this country. Sure, it is slow in coming in some areas, but I sense that people are prepared to step forward and put behind them a lot of the bigotry—I was going to use the word “racism”

but I do not like to use that word—a lot of the intolerance of the past.

This is just one example of people of goodwill working together trying to institutionalize a process that will rectify historic wrongs. Many of my colleagues tonight have pointed out that we are making history. When the history of this country is written, this debate may be a tiny footnote. If that is the case, then that is a good thing. I am always interested in the remarks of the Minister of Intergovernmental Affairs, who is a good and decent man and was a major player in this debate, as he has been in other similar kinds of debates. I think when the history of this is written, he will have a significant role.

I congratulate him for this. I just want to remind him of his responsibilities in other debates in this country and in this province as well because I see the contrast, particularly as it occurred today. I am happy tonight; I was sad this afternoon.

My colleague the member for London North (Mr. Van Horne), who made the lead speech for us, indicated his point of view, as well as my point of view and the point of view of our party. It is not difficult for all of us to find a number of examples where we believe the government of Ontario or, if members prefer to use the collective term, we collectively have failed our native people.

Particularly since I have become leader, I have had the opportunity to involve myself personally in a number of individual problems and a number of individual areas. In all humility, as a private member from London Centre, I did not have the opportunity to involve myself in some of these matters. As leader, however, I have been able to travel. This summer I was in Whitedog and I was in Grassy Narrows. I sat under the tree as Chief Isaac Mandamin was building his new log cabin. We were able to shoot the breeze about a number of the problems in Whitedog. We went to Grassy Narrows and talked with Chief Steve Fobister about some of the problems there. I have been on a number of reserves and I have had some very important learning experiences in that regard. It has substantially widened my own knowledge as well as my own feeling for these problems that need redress now.

I had the opportunity to attend the chiefs' banquet not too long ago where I heard Chief Billy Diamond speak. My wife was with me and her reaction as we left that evening was that it was one of the most moving and meaningful

events she had been at since we have been involved together in the political process.

I guess really it has to touch one. I am interested that the members who are speaking are all members with intimate and personal knowledge. It is not that easy for someone who has not run into these problems in a personal way to have the same kind of feelings. Obviously, the more that individual members have the opportunities that some of our northern members and even some of our southern members have, the more we will see more tolerance, more understanding and more reaching in these kinds of issues. I like the tone of what I see tonight. I think it bodes well for successful negotiations in the future.

That being said, I think we should remind ourselves in the middle of all this euphoria that it is only one small step forward for mankind. I grant it is an important one, but we have so much more to do. I very much hope that the spirit of charity, the spirit of understanding that people are demonstrating now will be extended forward in the next two, three, four and five years as we get into some of the really tough problems. In many regards, I think when the history is written, we will see that this was perhaps one of the easy chapters as we try to move forward to rectify some of these historic wrongs.

10:10 p.m.

Many issues have been mentioned tonight. I do not fundamentally disagree with anybody who has spoken, and I do not want to rethrust old straw. I just want to point out in closing that one of the most beautiful pieces I have run into, which touched me very much, is a poem written by George Kenny, a 30-year-old Indian from the Lac Seul reserve in northwestern Ontario who is now residing in Toronto. He writes:

For most of 13 years
dreams of screaming rides
on eagles
filled my night eyes
dreams
that had their birth
in trying to escape
the sneers through public
then high school
"You dirty Indian"
and fighting for respect
an Ojibway youth
who lost as much as
he won

at night he cried into
his pillow
and through 13 years
dreams of screaming rides
on eagles
filled his night eyes.

It says so well some of the things that we have created as a society, and it speaks to the road we have to travel.

Mr. Speaker: Just in case there is any concern in the minds of any of the honourable members, I am informed that the fire alarm has gone off. It is a false alarm. The trucks have arrived and everything is in order.

Mr. Stokes: Mr. Speaker, I want to start out by saying that I do share the sentiments expressed by members who spoke previously about the importance of this occasion. I also want to make it quite clear that I think a problem of such urgency, such importance and with such far-reaching ramifications should have been given an airing in this Legislature long before now.

The Minister of Intergovernmental Affairs, who was responsible for putting this motion on the order paper, for the reasons that he mentioned and that we all know so well, will know that the member for Brant-Oxford-Norfolk (Mr. Nixon) and I have on numerous occasions invited the government of this province—we have even suggested it to this minister, since he assumed responsibilities for constitutional matters—to provide this House and its members with a forum to discuss the very things we should be talking about in connection with constitutional change as it affects our first citizens, the aboriginal people of this province and this country. That opportunity, to this point, has not been afforded us.

If one were to address oneself strictly to the wording of this motion, there would be very little of substance or import to talk about in terms of the conditions that affect our aboriginal people residing in Ontario. While I intend to take full advantage of the opportunity during this debate to do just that, I want to say that I was a little bit disappointed, not in what the members who have spoken previously have said—there was very little I would have disagreed with—but because, for purposes of this debate, of what must be said by this House as a democratic institution about the importance of the first halting steps we are taking by way of this motion for constitutional reform and the enshrining of treaty and aboriginal rights. We are just taking the first steps.

In the time that is allotted to me, I intend to state in what I hope will be very specific and convincing terms why I think what is going on here this evening and what went on in March are very halting steps.

In speaking to the motion on the order paper in his name, the minister said, "The purpose of this is to include certain provisions to further define and protect aboriginal rights." I really do not know what that means. It sounds very meritorious, but I really do not know what it means. The minister has failed to explain it to me.

I have not seen anything in print or any pronouncement over there or, even more important, in my travels as a member of this Legislature, either within or outside my riding in Ontario, to indicate that any minister over there, including this one here tonight, has a clue about what our first citizens are talking about when they refer to treaty and aboriginal rights.

I intend, going back not to the original treaty, Treaty 9, signed in 1905, or to the adhesion to that treaty signed in 1924, but to 1958, to document in very specific terms what various ministers and civil servants have said in relation to land claims, the alleged illegal occupation of provincial crown land by native people and the significance of that very fact—and my colleague the member for Algoma (Mr. Wildman) alluded to it briefly in his comments—for at least 16 communities made up largely of aboriginal people in Ontario that do not enjoy reserve status, that are not even recognized as Indian bands for purposes of the Indian Act, although they are treaty Indians and, if they are treaty Indians, occupying provincial crown land illegally, as many people over there and civil servants going back to 1958 have reminded us.

10:20 p.m.

I want to suggest to the minister that if he does not have the will, the grace or the wit to understand that if we have treaty Indians who cannot get reserve status because the government will not deed provincial crown land over to the federal government in trust for the use of native peoples in Ontario, they are wholly and fully the responsibility of this government.

I just say that for shock effect, because many of our first citizens fall between two stools. The federal government says we are not going to see an extension or proliferation of Indian reserves throughout the province, and indeed it has said that as it applies to all of Canada. The province says it is not going to deed provincial crown land over to the federal government without consid-

eration so that its options will be limited with regard to the use of that land in the future.

The Minister of Natural Resources (Mr. Pope), who has aborted more negotiations with regard to Deer Lake and North Spirit Lake in the riding of my colleague the member for Kenora (Mr. Bernier), has done the very same thing with regard to Summer Beaver, Lansdowne House and Webequie, which are considered to be satellite communities of the Fort Hope Indian reserve.

What does the Minister of Natural Resources say? "If the federal crown, in the right of our first citizens, will come up with market value for whatever land it is decided they need for their social, economic and cultural wellbeing, and if the federal government pays for it, we will turn it over."

I am not, by nature, a very uncharitable person. I think I have been a very reasonable person, but for a good deal of the 16 years that I have had the pleasure of being a member of this House, I have travelled to those communities and I have heard what our first citizens have been saying.

Let me give one quote from the text of the travelling show that went on in July of this year in the House of Commons in Ottawa, during presentations made to a committee on self-government. I am going to elaborate on what they found, but for purposes of putting the emphasis on the very kind of thing I am talking about, I want to share with him what a distinguished member of the federal Parliament said in reaction to what he saw and what he heard after a good deal of testimony by some very articulate native people.

Who does the minister think I am referring to? None other than the Honourable Warren Allmand, who is now a member of the committee; but I want to remind members that he is a former Minister of Indian Affairs and Northern Development. He questioned one of the presenters, who happened to be Peter Moonias, the chief of Lansdowne House.

Mr. Allmand said: "First of all, Mr. Chairman and Chief, I must tell you that when I come to a community like this and I see what you have shown us today and I hear what you told us when you were bringing us around, it makes me ashamed to be a Canadian—to think we have treated a community like this the way it appears we have; and it is still like that today. I think if a lot of Canadians—it is too bad there are not more than 10 or so of us who come up here and see this, because I think most Canadians would

also be ashamed and would want to do something about it. It is not very fair or just, and it should certainly be corrected."

There was more dialogue between Mr. Allmand and the chief. He ended up by saying—

Hon. Mr. Snow: How would he have got there without the airport?

Mr. Stokes: I am not being critical of this minister.

Mr. Speaker: Order.

Mr. Stokes: Mr. Allmand went on—and remember, this is a former federal minister responsible for liaising with native people in the things that he as a minister was responsible for—to say: "The fact that you have recognized that you have no reserve—the more we travel around and the more we listen to different communities, the more difficult it is to understand what the policy of the department is."

Now he is a former minister who presided over a lot of the sins of omission and commission perpetrated on our first citizens by the federal government, aided and abetted by a good many of those people, a stream of ministers over the years who were responsible for liaising.

He said: "If I understand, you are all registered status Indians but you have no reserve and you have no band. Because you have been the chief for some time, could you tell us what answer the department gives you when you ask to be recognized as a band? I can see the problems you have had with respect to the reserve land, but why will they not recognize you as a separate band? What answers do they give you?"

It would take me the next hour to explain why the elders and leaders in at least 16 communities lying north of the French River in Ontario find frustration upon frustration every time they have to deal with the bureaucracy and mandarins up in Ottawa, aided and abetted, for some unexplained reason, by a succession of ministers leading from the Provincial Secretary for Resources Development to the Minister of Citizenship and Culture, the Minister of Northern Affairs and the Minister of Natural Resources. I do not know what it is with these people. It is not they do not understand; it is not that there has not been a litany of neglect and indifference all these years.

I just wonder what the minister, who is well intentioned, means by treaty and aboriginal rights when we see the frustration that is experienced by literally every community that is

crying for reserve status, looking for its place in the sun. We are talking about self-government for Indians, and they do not even have a place to stand. They do not even have a square centimetre of this great province of ours that they can call their own. When we talk about treaty and aboriginal rights, I do not know whether we are on the same wavelength at all.

On motion by Mr. Stokes, the debate was adjourned.

10:30 p.m.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: First, Mr. Speaker, I would like to indicate that when I moved the motion earlier this evening, I failed to indicate it had been agreed that we ask the table to keep the time for this debate, and the time will be split among the three parties. This debate will continue tomorrow morning and next Monday afternoon. It is hoped that it will conclude by six o'clock on Monday.

Mr. Stokes: On a matter of clarification, Mr. Speaker: I asked our House leader specifically what the arrangements were, and he said there was an agreement that the time would be split equally among the three parties. I said, "Does that mean there is a time limit on the debate?" He said, "No, certainly not." I would like the government House leader to clarify that; he said "by six o'clock on Monday."

Hon. Mr. Wells: All the House leaders discussed it. We reviewed the number of speakers and felt that, with the time and the speakers, we were going to try to finish it by six o'clock on Monday.

Mr. Stokes: Is that mandatory?

Hon. Mr. Wells: No. It is not mandatory, but it is what we hoped to do.

The business that has been agreed upon is that on Tuesday, October 18, in the afternoon, we will deal with second readings and committee of the whole on Bills 61, 86 and 87, and if there is time, we will call second reading of Bill 68. On Tuesday evening, we will resume the debate in committee of the whole on Bill 42.

On Wednesday, October 19, the usual three committees have permission to sit in the morning.

On Thursday, October 20, in the afternoon, we will deal with private members' ballot items, and on Thursday evening we will debate government notice of motion 13 respecting interim supply.

On Friday, October 21, we will be doing the estimates of the Ministry of Intergovernmental Affairs.

The House adjourned at 10:33 p.m.

CONTENTS

Thursday, October 13, 1983

Government motion

Constitution amendment proclamation, resolution 10, Mr. Wells, Mr. Van Horne, Mr. Wildman, Mr. Gordon, Mr. Peterson, Mr. Stokes, adjourned.	2075
--	------

Other business

Business of the House, Mr. Wells.	2097
Adjournment.	2097

SPEAKERS IN THIS ISSUE

- Conway, S. G. (Renfrew North L)
- Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
- Gordon, J. K. (Sudbury PC)
- Martel, E. W. (Sudbury East NDP)
- Peterson, D. R. (London Centre L)
- Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
- Stokes, J. E. (Lake Nipigon NDP)
- Turner, Hon. J. M., Speaker (Peterborough PC)
- Van Horne, R. G. (London North L)
- Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
- Wildman, B. (Algoma NDP)



No. 58

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Friday, October 14, 1983

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Friday, October 14, 1983

The House met at 10 a.m.

Prayers.

DARLINGTON NUCLEAR PLANT

Mr. Kerrio: Mr. Speaker, on a point of privilege: Referring to a question I posed to the Premier (Mr. Davis) yesterday, in his usual inimitable way he decided that when I was talking about Niagara Falls I was talking about natural gas or coal-fired stations. In view of the way it was written in the paper, I think it is important to note that the Premier responded in that fashion.

What I was trying to say, and what I shall say very clearly and concisely, is that I meant the alternative is water power, because of this great province's potential, and I think that should be put on the record.

Mr. Speaker: Order, please. Interesting as that may have been, it was not a point of privilege.

ORAL QUESTIONS

CLOSURE OF HOMES FOR DEVELOPMENTALLY HANDICAPPED

Mr. Peterson: Mr. Speaker, I have a question for the acting Minister of Community and Social Services with respect to his ministry's plan to close the centres for the developmentally handicapped.

He will be aware that the St. Lawrence Regional Centre in Brockville, which closed on June 30, 1983, has had a number of problems placing its residents in the promised accommodation. Indeed, three residents have been moved four times since June 30, 1983, and approximately 32 out of the 99 residents there have been returned to larger institutions in direct violation of the rationalization of the program, which was to deinstitutionalize and to send the residents back to smaller community-based residences.

The minister will be aware that on November 14 Bluewater is going to close and that about 100 of the 144 residents there still have no place to go. Would the minister not agree that the ministry has violated completely its commitment to the residents and to the families of those

residents and that he must reassess his position on this matter immediately?

Hon. Mr. McCaffrey: On behalf of the Minister of Community and Social Services (Mr. Drea)—

Interjections.

Hon. Mr. McCaffrey: I have had a bellyful of these wackos.

Mr. Speaker: Order.

Hon. Mr. McCaffrey: Mr. Speaker, the Leader of the Opposition has asked two serious questions. In deference to him and I hope with his understanding, and with respect to the importance and complexity of the questions, I would like to be able to respond thoroughly, but I would have to ask for the opportunity to do that on behalf of the minister on Monday.

Mr. Peterson: That was a first-rate imitation; I congratulate the minister for that. But will he take it upon himself when he is assessing this position, now that he has the responsibility, to look at the community reaction? The community reaction has manifested itself in petitions from everywhere—2,000 names in St. Thomas, 10,000 names in Whitby—from a number of parents who feel that the promise has not been kept and, indeed, that they have been deceived. The fears have not been allayed.

Now that we see the specific movement of these residents from these centres, the promises are not what they were supposed to be in the first case. Will the minister involve himself personally in this decision, come back on Monday and, it is to be hoped, report a different policy from his government?

Hon. Mr. McCaffrey: I will. I undertake to do that immediately after question period today and to be able to respond on Monday.

Mr. R. F. Johnston: Mr. Speaker, it is good to see that the minister is fitting into his new role so well, except I think two things were missing; one was the Racing Form and the other was a rational answer. I still appreciate it; it makes it easier for me to relate to—

Mr. Speaker: Question, please.

Mr. R. F. Johnston: Would the minister also look at the process that has gone on in the

supposed deinstitutionalization of the Brockville institution in terms of the setting up of the group homes in that area? It is my understanding there are still no community boards responsible for the new homes that have been established in that area. I would like to have his assurance that we will have those boards in place at the earliest possible opportunity.

Hon. Mr. McCaffrey: Again, Mr. Speaker, with respect to the importance of the question, I undertake to respond on Monday.

Mr. Wrye: Mr. Speaker, when the minister is considering his response on the weekend I hope he will go back and look at the debates that occurred as far back as last January 24, when my colleague the member for Huron-Middlesex (Mr. Riddell) called for an emergency debate on these centres because of the expressed concerns of the many groups regarding the welfare of those residents.

The fact of the matter is that the concerns of the parents and staffs affected by these closings remain to this day, in spite of the fact that one centre has already closed and five more are still due for closing. As my friend the member for Scarborough West (Mr. R. F. Johnston) has said, the consultation has been sporadic at best. Many groups are still waiting to be placed in nonexistent group homes, and regional safeguards for the monitoring and supporting of these new community members are sadly lacking.

As my leader has pointed out, we have already had the experience of one home closing, and that experience has been a sad one. Will the minister please give us his assurance in his answers on Monday that the trauma experienced by the residents of the first home that was closed will be reduced and that this pattern will not be followed in Goderich, St. Thomas, Aurora, Cobourg and Woodstock?

Hon. Mr. McCaffrey: Again, Mr. Speaker, I will meet at the conclusion of question period with the senior people in the Ministry of Community and Social Services to attempt to respond in detail on Monday.

10:10 a.m.

RECONSTRUCTION OF OTTAWA QUEENSWAY

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Transportation and Communications. The minister is aware of the great hardship his ministry is imposing on Ottawa, the national capital region, through his failure to complete with dispatch the Queensway. He is

aware of the tie-ups and the congestion. In fact, what has happened has become a national disgrace. He has failed to proceed with an accelerated program on that particular artery.

Will he use his good offices to proceed immediately to complete the reconstruction so we will not see that city tied up for another seven years in the kind of congestion it is tied up in today?

Hon. Mr. Snow: Mr. Speaker, that is a perfect example of my honourable friend talking about something of which he knows nothing.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Snow: I would have thought the Leader of the Opposition, who has such close ties with people who are very knowledgeable in the construction industry, would have had better advice.

The proposed reconstruction of the Ottawa Queensway is a major job, as have been many of the jobs carried out by my ministry over a number of years, such as the rebuilding of Highway 401 across Metropolitan Toronto and the construction of other highways throughout the province.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Snow: My ministry has worked very closely with the region of Ottawa-Carleton, with the engineering department and with the people in Ottawa in designing, studying and scheduling the construction of this project. It is a large project and it would be irresponsible to try to carry out the total length of the project at one time. I think everybody in Ottawa would agree that it would be a disaster for the city of Ottawa to have some 20 kilometres—some 20 miles, I guess it is—of the Queensway torn up at the same time.

We have worked with the engineering department of the region. We have established four different contracts to be carried out. At least one is now under contract and under construction and working very well. They are working double shifts. This is not just a case of going in and painting the road black. This is widening, putting in sewers, putting concrete barriers down the median and providing for an extra lane. This highway is about 25 years old, and it is time for it to have major work done on it.

The contract that is under way now is, I think, for something in the neighbourhood of \$7 million. The second contract is almost designed, if not final. It is almost ready to go to tender, if it

is reasonable to do so. The consulting engineers have been assigned for the third contract, so they will be proceeding with the detailed design on that contract and getting it ready.

This is the normal way the ministry carries out road reconstruction, the same as we have done on the reconstruction of Highway 401. We divide it up into reasonable sections and carry them out one at a time so that we do not have the whole road torn up at the same time. We are doing exactly what is reasonable to do and what has been agreed to do. It is not really a case of money because even if the money were available, which it is not, to do probably \$30 million or \$40 million worth of work at once on that one piece of highway, it would be a disaster for the city of Ottawa to do it that way.

I think everyone who has any reasonable knowledge and understanding of what we are doing agrees that the program we have set up is exactly the way any rational, ordinary, sensible person who knows anything about construction would do it.

Mr. Peterson: It is admittedly a disaster at the present time; there is congestion everywhere. I was in Ottawa two weeks ago and was tied up six different times while travelling the Queensway, and not only during the rush hour. Nothing moves there. If the minister only drove there instead of flying there, he would realize what a real problem he has on his hands and the problems he is creating for the people of Ottawa-Carleton. That is the reality.

I am asking the minister if he will use his good offices to accelerate that construction program. Rather than letting it drag out over seven years or so, can the minister use his good offices to move immediately to approach this problem with the same enthusiasm that he approached the construction of the James Snow Parkway or the domed stadium in Oakville? Will he use the weight he carries in cabinet to accelerate this program to give those people the same kind of opportunities he would give the people in Toronto or around his own area?

Hon. Mr. Snow: The honourable member is being led down the garden path again by people who are advising him who do not know anything about it.

First, I think I should have my driver and vehicle branch check the member's driving capabilities if he has trouble getting through the Queensway. I was in Ottawa a couple of weeks ago, too, and I went right through that construction site from end to end in both directions. I found, certainly, that construction was under

way but the traffic was moving very well. Two lanes of traffic were being maintained very well.

For the honourable member to suggest that we are doing something different in Ottawa to what we would do in Toronto or London or any place else is a lot of hogwash, which the honourable member should understand. When we carried out the construction work on Highway 401—the extensions to the east out to Highway 115 and the extensions to the west out to Highway 25—we did it exactly the same way as we are doing it in Ottawa. We went along and moved the traffic out on the outer lane, paved the outer shoulder and kept the two lanes in operation to allow the contractor to go into the median, install the sewers and the median barrier, and then paved that area and moved the traffic back on to those lanes.

The procedure being used on the Queensway in Ottawa is absolutely identical to the procedures we used on Highway 401 east and west of Metro, and that were used on the Queen Elizabeth Way when the same process was used there to widen the QEW to six lanes between Toronto and Hamilton. The same type of process is being used for the Burlington Skyway and other areas that are under construction at the present time.

If the member wants to suggest that something irrational be done in Ottawa to create the havoc he is suggesting, then he is going about it the right way.

Mr. Cassidy: Mr. Speaker, the minister says that every reasonable person who has looked at the situation agrees with his view of the solutions for the reconstruction of the Ottawa Queensway. Why is it then that he has not talked to any of the people who actually use the Queensway on a day-to-day basis in Ottawa? They have had two and a half months of reconstruction right now and they do not know how they can go on for another two and a half months, let alone for seven and a half years, of further reconstruction.

Is the minister not aware, because of the location of the Queensway going through downtown Ottawa and its importance as one of the very few crossings of the Ottawa River and the Rideau Canal, that this is not the same as reconstruction of a part of Highway 401 well to the east or the west of Metropolitan Toronto?

Will the minister now indicate that money will be found, if an accelerated timetable can be undertaken, in order that the Queensway reconstruction will not last for eight years? Will he make this commitment now, or is it another case

of eastern Ontario taking the back of this government's priorities, while Toronto goes to the fore?

10:20 a.m.

Hon. Mr. Snow: No, I will not make that commitment and create havoc in Ottawa. I understand that yesterday the mayor of Ottawa came out and endorsed fully the program set out to reconstruct the Queensway. That is what I am told. I have talked to many of my people. The Ottawa caucus and many colleagues who happen to represent the vast majority of eastern Ontario have discussed it. They use the Ottawa Queensway and they tell me what is going on down there.

The commitment I will make is that we will try to keep continuous progress on the project. When one contract is nearing completion, we will try to be in a position, financially and otherwise, to award contract 2 and then contracts 3 and 4. That is the way it is set up, the way it is agreed to with the city and the way the city and the region want it done. Regardless of what the member wants, that is what they want and what we are going to do.

Mr. Boudria: Mr. Speaker, it is interesting to note that the Ottawa Citizen refers to the project as seven years of bad luck.

In a reply the minister gave me yesterday, and I quote from his letter, he said, "Funding constraints which apply on a province-wide basis will be the main factor in determining the completion date." Will the minister not admit that when the member for Northumberland (Mr. Sheppard) said in this House on Tuesday that eastern Ontario citizens were treated as second-class by this government, this is exactly what is going on in the case of the seven years of bad luck on the Ottawa Queensway project?

The minister said everybody in Ottawa agrees with him. Can he tell us why Alderman Jim Durrell, chairman of the regional transportation committee, does not agree with him?

Hon. Mr. Snow: Mr. Speaker, I am very tempted to be provocative and to say that there are only certain citizens in eastern Ontario who have second-class representation.

Interjections.

Mr. Speaker: Order. I would hope the minister would not be provocative and would address himself to the question, please. A new question then.

Interjections.

Hon. Mr. Snow: I have not completed my answer, Mr. Speaker.

Mr. Speaker: I do not think they want an answer.

MINIMUM WAGE

Mr. R. F. Johnston: Mr. Speaker, my question is to the Minister of Labour and it concerns the minimum wage. He is aware that we have the pride of being the lowest-paying province in the country at this point. Since he has been reviewing this matter since at least April 21, in response to a question from the member for Cornwall (Mr. Samis), is the minister aware that since 1975 the minimum wage has risen by 45 per cent, from about \$100 a week to \$140, while the cost of living index has gone up by 97.5 per cent and the average industrial wage has gone up by 104 per cent, from \$201 a week to \$411.49?

Given that, can the minister tell us who are these people who are on the minimum wage? How many are there out there? How many are government employees or employed by agencies funded by this government? When is he going to do something for them?

Hon. Mr. Ramsay: Mr. Speaker, I appreciate and understand the concern of the honourable member. He raised some of the questions he has raised now in an open letter to me earlier this week, and I have some of the information he has requested. He suggested that perhaps this information could have been put together over the holiday weekend. I just want him and other honourable members to know that a lot of the information he requested is readily available within our ministry.

There was some suggestion that it should have been a portion of the annual report. The focus there is on program and operational matters; it is not a journal designed to detail the findings of various studies. However, we have been making studies in respect to the minimum wage.

Our last minimum wage survey covered a payroll period in May 1979. It was representative of more than 1.9 million nonsupervisory employees in the province. Some industries were excluded from the survey because they employ very few minimum wage workers, such as construction or those that fall under federal jurisdiction. The minimum wage provisions do not apply to them, nor do they apply to employees of the crown, teachers, etc., or to private households that employ domestics.

The 1979 survey found 125,000 employees at or earning less than the general minimum wage, which was \$3 per hour at the time. These workers comprised 6.5 per cent of the total

number of employees covered by the survey. Another survey figure that is sometimes cited is the 180,000 persons who earn within 10 per cent of the general minimum wage level. The bulk of the minimum wage earners worked in hotels, restaurants and taverns, and in retail trade. Those two industries accounted for three quarters of such employees.

There have been other studies as well as the one done in 1979, and certainly there will be other studies made in the future. One of the other studies collected information on 68,000 low-wage workers in the province, and I will outline its major findings very briefly. All of this information I will provide to the member in detail and in writing.

About two thirds of the low-wage workers were female; almost half were single. Of those who were married, 80 per cent of their spouses had full-time jobs; about 70 per cent of married low-wage workers had no dependants; and of the total number of low-wage workers surveyed, about five per cent supported a spouse and two or more children.

In summary, high proportions of low-wage earners are young as well as female; the spouses of married workers usually have jobs; the vast majority of low-wage workers have no dependants, although a small proportion support three or more family members. These findings are generally consistent with the results of similar studies done in other provinces.

Mr. R. F. Johnston: The fact that we have not had a study since 1979 indicates the priority of this government. I still have not had an answer to the question of how many work for government or for government agencies.

Last evening, a case came into my riding. I cannot use his name because these are the most vulnerable workers in our society and have no protection. He is afraid of losing his job. I am going to give the minister his profile and then ask him a question about it, if I might have the Speaker's leniency in this.

This gentleman is working as a security guard for a hospital in this city, which hospital has contracted out that authority to a private security firm. His wife is also working at the minimum wage in a sweatshop in this city. They have a rent of \$350 a month in private housing, and they say they cannot feed their kids meat or chicken more than three times a week on that wage. At the same time, this government has given small businesses a \$400-million tax holiday over the next two years.

How does the minister see that juxtaposition

as acceptable in this society, and why will he not make a major recommendation right now that there should be a catch-up for these individuals so they are protected against the ravages of inflation, as I indicated to him in my initial question?

Hon. Mr. Ramsay: First of all, the member said there has not been a study since 1979. I do not believe that is correct. I quoted from the last major study, which was done in 1979, but other studies have been done since then and other studies will be done as well.

Incidentally, a couple of the questions the member for Scarborough West asked in his open letter I felt were excellent and should be included in a survey. We will have them included in the next survey we have done. He asks what kind of breakdown exists of concentration of minimum wage earners by economic sector and by geographic region in Ontario and how many families are solely supported by the minimum wage. Those are excellent questions and we will include them in any subsequent survey.

Also, I should say that when I gave the member the results of those surveys, I did not give them on a defensive basis. I gave them strictly on an informational basis. I was not trying to make any points when I gave them to him.

The bottom line of this whole discussion today is what is going to be done about the minimum wage. I realize I did give an answer back in April. I thought I would be able to give a more definitive answer at this time, but I am not in a position to do so. I think I will be in the very near future.

10:30 a.m.

Mr. Wrye: Mr. Speaker, in the minister's first answer, in which he offered the Legislature a profile of the typical minimum wage earner, he pointed out himself that the vast majority of those minimum wage earners are women. The Minister responsible for Women's Issues (Mr. Welch) tried to be helpful the other day, but perhaps the Minister of Labour could enlighten us further on what kinds of changes to the equal pay laws in the Employment Standards Act he is contemplating and whether they will be presented to the Legislature this fall.

While he is on his feet and telling us about the minimum wage, perhaps he could tell us whether in his review of this matter he intends to put an end to the ever-growing number of exceptions to the minimum wage laws and give us his assurance that he will be sharply reducing the

number of people who are allowed to be paid below the minimum wage.

Hon. Mr. Ramsay: Mr. Speaker, referring to the last part of the honourable member's question, that matter is certainly under very active discussion. One of the reasons for the delay in having a more definitive answer at this time is the impact on youth employment—high school youngsters below age 18 and so on—which is a major concern. Those are things we want to be able to come forward with as well as the minimum wage for other workers.

I believe the member was asking me about the package of information that my colleague the Minister responsible for Women's Issues referred to. Was that part of the question?

Mr. Wrye: Equal pay; whether that will solve part of the problem.

Hon. Mr. Ramsay: The Minister responsible for Women's Issues and I have not finalized the package we plan to bring forward to our caucus, to our cabinet and to this Legislature; so I cannot comment at this time on what it will contain. We certainly have some thoughts about it, but the member will just have to be patient and bear with us. We will bring it forward in the not too distant future.

Mr. R. F. Johnston: Our patience is being stretched here. Does the minister not understand that, no matter what comprehensive study he is doing at this point, there is a question of fundamental justice and, in fact, a question of political morality?

Mr. Speaker: Question, please.

Mr. R. F. Johnston: Does the minister not realize that in the past two years we have had a wage freeze for the lowest-paid people in Ontario at the same time as we have given massive increases to doctors and we have seen fit to give increases to ourselves? In the past two years we have raised our incomes here—and we have agreed to it as being just for ourselves—by \$4,475 a member and by \$5,607 a minister. The total amount that a person on minimum wage receives is \$7,280. These people cannot wait any longer.

Mr. Speaker: Question, please.

Mr. R. F. Johnston: Does the minister not agree that in fundamental justice he must make an announcement to redress this fundamental inequality and take steps to redistribute the wealth in this province and protect the lowest-income earners?

Hon. Mr. Ramsay: Everything the honour-

able member has stated, I understand and appreciate; I cannot quarrel with him on it. I just give my assurance that the matter is being addressed, and I feel that I will be in a position to respond in a positive manner in a relatively short period of time.

BATTERED WOMEN

Mr. R. F. Johnston: Mr. Speaker, my question is to the Minister responsible for Women's Issues, the Deputy Premier.

Sunday, October 16, is Unity Day with Battered Women in Canada, as the minister will know. Last December the social development committee came up with the first report on family violence and wife battering. In the preface we said it was clear to the committee that battered women needed help now and could not await the results of lengthy hearings.

What kind of priority is the minister and the government giving these problems when we have still not had the comprehensive report from the government as a response to this report of our committee? It is 10 months since then and it is a year since the last Unity Day with Battered Women.

Hon. Mr. Welch: Mr. Speaker, the report from the standing committee has been the subject of a very thorough review by many ministries within government, and it has been co-ordinated by the Provincial Secretary for Justice (Mr. Walker). I have been a party to these meetings and to this review, and I can assure the honourable member that the provincial secretary will be making a statement, as he has indicated, very shortly.

The government, however, has not been waiting for a standing committee to report, nor has the government necessarily been waiting for that response. The Attorney General (Mr. McMurtry) has made it quite clear to crown attorneys throughout the province that this type of behaviour is completely unacceptable and that this whole matter should be followed up. The Solicitor General (Mr. G. W. Taylor) has notified all police forces, and some work has been done in the area by the Ministry of Community and Social Services as well.

However, the member's question concerns when the response will be public. I can assure him that the Provincial Secretary for Justice intends to make a statement in this House within the next week or 10 days.

Mr. R. F. Johnston: Can the minister tell us whether in that response we are finally going to get our major recommendation brought for-

ward, which involves changing the funding formula for interval houses, so we can have a look at that?

The minister must be aware that interval houses are closing around the province because their funding is inadequate at the moment. At the same time the Minister of Community and Social Services (Mr. Drea) has started a program in northern Ontario to provide services through minimum wage jobs. I remind the Minister of Labour that this runs counter to the suggestions we are making.

Will there be a new funding formula to get away from the General Welfare Assistance Act basis—from this per diem basis it is on at the moment?

Hon. Mr. Welch: Against the background of the special day being observed in both Canada and the United States on this subject, I would note that this whole question of domestic violence is a top-priority issue as far as this administration is concerned.

Also, many details will be set out in our response to the standing committee's report as to what this government has been doing and continues to do in this whole area. In so far as particulars are concerned, perhaps it would be wise to wait until we have the statement of the provincial secretary which will address this and other matters contained in that report.

Ms. Coppins: Mr. Speaker, the minister responsible for issues affecting women obviously does not understand this issue. I think government members of the social development committee must feel a sense of shame about this. They joined with the other members of the committee when it made as its top priority a change in the per diem funding to a block system—

Mr. Speaker: Question.

Ms. Coppins: Almost a year has passed and nothing has been done. Yet the minister responsible for community and social services has committed more than \$1 million to setting up other transition houses across Ontario that have no guarantee of actually continuing.

Is the minister not embarrassed that at the same time as transition houses across this province are facing closure because they do not have a funding formula adequate to carry on, his own government has ignored the unanimous recommendations of an all-party committee on changing those block funding requirements? Is he not embarrassed that the government is going off on a tangent known only to the Minister of Community and Social Services?

Hon. Mr. Welch: Mr. Speaker, the honourable member should have been listening carefully to the exchange that occurred after the main question. I indicated that the government, through the Provincial Secretary for Justice, would be making a very detailed response to what was a very careful piece of work done by the standing committee.

The standing committee performed a very useful function in raising the level of public awareness about behaviour in society that is quite unacceptable in this province, and indeed throughout the continent. No one on this side of the House takes second place to anyone on the other side in expressing concern about this horrible behaviour.

I think it is scandalous that anyone in this day, in this province, believes certain types of behaviour are acceptable on one side of the door that are not on the other. It is just not acceptable. The Attorney General and Solicitor General have made that quite clear. I think it is irresponsible to try to suggest in an issue of this kind that some in this House have more concern than others.

We are going to have a report and we attach top priority to this.

Ms. Bryden: Mr. Speaker, Unity Day with Battered Women is being observed across Canada by questions in all the legislatures and in Parliament. I am rather disappointed that we have so little progress to report in this field to the women of Ontario.

I have a particular question for the minister on the implementation of the report on battered wives from the standing committee on social development last December. This report drew attention to the dearth of services for immigrant women who have special needs because of language and cultural differences and who need counselling and assistance in their own language.

Will the minister tell us what plans the government has to implement one of the key recommendations of the committee, one which urged that the Ministry of Community and Social Services should encourage community groups to establish immigrant women's emergency shelters where the need is apparent?

10:40 a.m.

Hon. Mr. Welch: Mr. Speaker, as the honourable member knows, when I had the opportunity to meet with her to discuss matters of mutual interest some weeks ago I shared with her my agenda and the priorities I had on that agenda in working out these various matters.

Although we were talking in terms of a special emphasis on Sunday, I see this in the large context of domestic violence. I think it is very crucial that we see the importance of addressing this whole matter in a very responsible and sensitive way. All the recommendations contained in the report of the standing committee will be addressed in the statement which the Provincial Secretary for Justice will make.

BEACH POLLUTION

Mr. Elston: Mr. Speaker, I have a question for the Minister of the Environment. The minister has been waiting very patiently for a question this last two or three days and I want to ask him a very important question concerning the beaches of Ontario.

As he knows, more than 70 beaches in the province were closed this past summer. There were 16 in Metro Toronto and others along the shores of Lake Huron, some in St. Catharines and Thunder Bay. I wonder if the minister can tell us if he has been successful in asking his cabinet colleagues to increase the budget for the sewage and water treatment portion of his ministry's funding so that he can take direct steps to clean up and make available to the people next summer those beaches which have provided such good and worthwhile recreational activity for those who are unable to go other places for recreation purposes?

Hon. Mr. Brandt: I thank the member for Huron-Bruce for the question. I would like to clarify, for the edification of those who are here this morning, that I did not send the question to the honourable member.

The matter of the beaches cleanup is a very complex question. As the member knows, we have been dealing with the Metro Toronto municipalities for some time now with respect to a comprehensive plan of cleanup, primarily directing the provincial responsibility towards assisting with study of the area to identify pollution sources and to assist the municipalities in the cleanup program in that respect.

As to the amount of money that we have expended to this point on the study alone for the Metro Toronto area, I want the member to know—and I believe this might be new information for him—that we have increased our budget provincially through my ministry by some \$500,000 this year for a total of \$1.7 million that is directed towards that specific program.

Our policies in connection with the assistance of the separation of storm and sanitary sewers has been consistent. There are some programs

that we have been involved in for some long number of years. I would remind the member that since about the mid-1950s there has been some \$7 billion expended in Ontario with respect to the clean water agreement, primarily in connection with separation of sewers, more sophisticated sewage treatment plants and those kinds of things. Of that amount, approximately one third has come from the government.

This government and my ministry intend to assist, as we have in the past, in whatever way we can in an attempt to make sure that the beaches are going to be open in the coming summer.

The primary responsibility for sewage treatment in the first instance, and for the separation program that is obviously going to assist in reducing the amount of pollution going into the Humber and other tributaries that are affecting the beaches, has been and will continue to be a municipal responsibility, with the type of assistance that the province can give, as it has in the past.

Mr. Elston: I understand from the minister that really his government has not wanted to accelerate its involvement in ensuring the quality of the waters that have gone into the lakes over the past few years. I point out to him that the problems with beaches along the Etobicoke shore have existed for some several years now and there have also been problems well known along the Humber River system for some years.

Mr. Speaker: Question, please.

Mr. Elston: As the minister responsible for ensuring the quality of the water of this province, I would ask him to take immediate steps on a provincial initiative rather than on a municipal initiative to ensure that funding is made available to clean up the beaches and waterways immediately, rather than waiting for the municipalities to be able to afford to get into the separation program he has just talked about.

Hon. Mr. Brandt: Given an unlimited amount of money, of course there are steps that can be taken by the province or by the municipal level of government. I want to assure the member that there is now in place a working committee at the staff level between the municipalities and my ministry that is looking at a broad range of alternatives that might be put into place with respect to the beach cleanup problem.

We are not turning our back on the difficulties of the municipalities. It is interesting to note that the municipalities themselves are coming to grips with the problem. They recognize their responsibility; we recognize our jurisdiction in

this whole matter and we recognize our responsibilities as well. We both have a very important role to play. I can assure the member that the kind of co-operation we have given to the municipalities in the past, either through my ministry or through that of my colleague the Minister of Municipal Affairs and Housing (Mr. Bennett), will continue in the future. We will do everything that is within our power to see that the beaches are open, if at all possible, by next year.

Mr. McClellan: Mr. Speaker, in view of the solution of the federal government to the Lake Ontario beaches pollution problem, which seems to be to double the permissible pollution standards for faecal contamination—which bird-brained idea I understand originated with this minister in his first few moments in office—can the minister give us an assurance publicly here in the Legislature that he has no intention of pretending he is going to solve the pollution problem on our beaches by increasing the permissible pollution standard?

Second, will the minister assure us that he will not simply continue the old policies with respect to financial aid to municipalities, but will encourage his colleagues to come forward with a special emergency grants program to permit a number of the municipalities within Metropolitan Toronto—for example, the borough of York—which do not have the tax base to do the kind of work that is required, to do the work that is required to cut off the source of the pollution?

Hon. Mr. Brandt: Mr. Speaker, there were a number of questions in the member's statement. Let me deal first with the faecal coliform count which he addressed in the initial part of his statement.

At no time did I or anyone speaking on behalf of my ministry say we were going to raise the faecal coliform level in order to open up the beaches. I am pleased that the member asked the question. My initial statement on that question simply indicated that my ministry was going to take a review of the entire question that would take into account such things as the uniformity of testing and the protocol that was going to be used with respect to the whole matter of the procedures in coming to grips with the problem of the counts. At no point did I indicate that we were prepared simply to increase the permissible bacteria counts in order to open up the beaches.

10:50 a.m.

I recognize the concern being registered by the member with respect to the federal announcement. There is no intention on the part of my ministry to increase the bacteria counts to 200, which is the proposal on the part of the federal government, from 100. We intend to maintain the 100 until our own provincial review is completed.

Mr. Breaugh: That is called weaseling.

Hon. Mr. Brandt: No, no, I am not hedging on it at all. From speaking to my own staff people there is no reason to whatever. If the members are looking for a commitment, the position of this ministry is that we will maintain the present number. However, we will improve on the methodology that is currently being used and has been used in the past with respect to the testing procedure.

REMARKS BY EDUCATION MINISTER

Mr. Allen: Mr. Speaker, I would like to pursue a question with the Minister of Education which my leader put to the Premier (Mr. Davis) in his questioning yesterday.

In the opening statement the minister made before the estimates of the Ministry of Education, she made a number of rather alarming and I think incredible statements. She referred to the increasing breakdown of social consensus and the rise of narrow group interests in Ontario, particularly in matters affecting schools. She referred to these groups as eroding the whole and threatening seriously to fragment society. She referred to the rise of a nation of self-interest groups living apart in suspicion of each other.

Mr. Speaker: Question, please.

Mr. Allen: She referred to cultural and racial linguistic groups which split and fragment society.

Since she cast herself in the role of a saviour of modern civilization, lest it follow the route of Greece and Rome and decline from the face of human history, what do these incredible assertions of hers mean? Who specifically is she referring to?

Is she referring to the Ontario Teachers' Federation, the Ontario Public School Teachers' Federation, the Federation of Women Teachers? Is she referring to the Association of Large School Boards of Ontario? Is she referring to the Association canadienne-française de l'Ontario? Is she referring to the ethnic groups who are interested in heritage languages and who wish to have some further elaboration of their pro-

gram? All of these groups are those with whom the minister is in contention.

Will she tell us, please, who it is she is referring to who is fragmenting and undermining Ontario society and forcing the decline of our great civilization?

Hon. Miss Stephenson: Mr. Speaker, the short answer to that long list of questions posed by the member for Hamilton West is, of course, no. Not one of those groups was referred to, nor was it intended to be.

As the minister responsible for the public educational system in this province I have a right to express concern about the appearance from time to time, and not necessarily only within this era, of those who would fracture the structure and the integrity of the principle and the philosophy of a public educational system as established in this province.

There are those of us who have personal interests in a whole lot of areas. We intend to provide direction for those personal interests in the best way possible through the development of consensus by participation at the local level, at the central level in discussion and resulting accommodation. That accommodation, I believe, is necessary.

All I was simply trying to say was that if some groups who are interested—

Mr. Wildman: Who are they?

Hon. Miss Stephenson: —in developing a specific direction which would, in fact, break apart the structure of public education were more interested in accommodation rather than division, we really could be solving some of the problems. I would hope that direction will be taken by some of those groups.

I do believe it is realistic for someone who is concerned, particularly who is a member of government, to express that concern in the most straightforward way possible without implicating any one individual or any one group, but simply to express the concern.

Mr. Martel: No, just smear them all; get all of them.

Hon. Miss Stephenson: The only group that I would like to smear is the honourable group, so-called, across the floor—

Interjections.

Hon. Miss Stephenson: I will retract that now—who insist on trying to make something more of this than was intended.

Mr. Allen: Mr. Speaker, either there is a great

danger afflicting our society rising to menace us or there is not.

Mr. Speaker: Question now, please.

Mr. Allen: I will repeat the question: who are they?

Hon. Miss Stephenson: It does not deserve an answer.

Mr. Bradley: Mr. Speaker, does the minister not recognize that when she makes assertions of this kind and does not name the specific people or groups to whom she is directing those remarks, a number of people in our society, some of whom are listed by the member for Hamilton West, are expressing concern that they are being singled out as wanting to fracture this province? Is the minister suggesting that these particular people, who have, perhaps, a specific point of view on a specific subject, are to be excluded from expressing their views on education issues in this province?

Hon. Miss Stephenson: Of course not, Mr. Speaker, and that was not what was said in any manner in the remarks I made at the beginning of the estimates of the Ministry of Education. I have specifically answered the member that the list he provided was not a list of people who were intended to be addressed. There is not a specific list. I was simply expressing a general concern which I feel deeply and which I think the member opposite should feel deeply as well.

ELMIRA LANDFILL SITE

Mr. Epp: Mr. Speaker, I have a question for the Minister of the Environment. It is his day, I guess.

The minister is no doubt aware of the problems facing the residents of Elmira, where a large industry, namely Uniroyal Ltd., produced thousands of tons of herbicides for the US Department of Defence which include 681 tons of 2,4-D, otherwise known as Agent Orange, which was used in Vietnam. They are gravely concerned about the storage of these chemicals in areas near the plant.

According to his own ministry officials, leaking of these chemicals may very well be taking place and these chemicals may be getting into the ground water and into the water that the citizens of Elmira are drinking.

Harry Parrott, a predecessor of the minister in that ministry, said in February 1981—this was during the provincial election campaign—that if such leaking was taking place, the ministry would remove the waste.

Using the best methods available, is the

minister prepared to do further testing to see if any leaking is taking place? If so, is he prepared to keep the promise of 1981 and remove the waste materials and charge the cost of the removal back to the company?

Hon. Mr. Brandt: Mr. Speaker, I want to assure the honourable member that my party and I are prepared to keep the promise of 1981, or 1980, or 1979 or any other year, and if my predecessor made a commitment with respect to the Elmira situation, I want him to know that we will uphold that commitment.

I take the matter of the Elmira site very seriously. It is a problem. The site has been in operation, as the member knows, since about 1941, some 30 years before this ministry actually came into being. There is a strong possibility of some leachate that is going on offsite in that particular landfill, and the member is aware of that.

I want to assure him, however, that my ministry is working very closely with Uniroyal to make absolutely certain that whatever technology is applied to the cleanup of that site is going to improve the situation. We are looking, as an example, at one type of technology that is known as purged wells to see if there is a way in which we can extract some of the chemical contamination from the landfill site itself and be able to contain it in a safer and more appropriate fashion.

11 a.m.

I share those concerns. I want the honourable member to know I have indicated to my staff that particular site is an extremely high priority. We should have some definite plan of action before the end of this year. I would be very happy to speak further with the member on this matter and keep him up to date in a detailed way because it is one we are watching very closely.

Mr. Epp: Keeping in mind that experts who have experience in purge pumping—and this is one of the things they are trying to do there—seem to feel that purge pumping is not successful, or is unsuccessful if wastes are left onsite, why does the minister believe his method of purge pumping will be successful when it has been proved unsuccessful in many instances in this country and in other countries?

Hon. Mr. Brandt: The question of purged wells is one of the technology that is applied to particular types of soil conditions. If the hydrology of that particular site and if the aquifer is such that it lends itself towards purge pumping, then the technical reports and the study that is

being taken now, which we should have within the next matter of months, should be able to tell us whether that is going to be an effective treatment for that specific site.

I agree with the honourable member that there are instances and situations where that methodology is not applicable and does not work. However, we are looking very carefully at that as one option. If the member is suggesting that a complete and total removal of all the substances in that site should take place, we are talking about perhaps a multimillion-dollar option. It is a very expensive alternative but one that may have to be considered. We have not in any way ruled out that possibility.

I do want the member to know, however, that we are looking at all of the technologies that are available with respect to the treatment of that site. We recognize the problem and we are going to move on a corrective solution which, I trust, the member will find acceptable.

FRENCH LANGUAGE SERVICES

Mr. Cassidy: Mr. Speaker, I have a question for the Minister of Education with respect to the proposal she made this spring about the governance of French schools.

The minister must by now be aware that in principle that declaration of commitment to French education was welcomed across the province. The means of implementation in the restructuring of school boards have, however, raised as much concern among Franco-Ontarians as they have among the majority of people in the province, including trustees and school boards.

Is the minister now prepared to withdraw those specific means of implementation, in view of the concerns they have raised, and to allow a means to be invented or created which would be much more satisfactory both to the Franco-Ontarian community and to people who are existing trustees or on school boards, or is she intent on continuing with proposals which threaten to be unduly and unnecessarily divisive?

Hon. Miss Stephenson: Mr. Speaker, I think all the meetings with the regional directors of the members of 19 boards affected within the public system have now been completed. We have had a considerable number of responses from those boards. There have also been proposed a significant number of alternative mechanisms which, I think, should be discussed. Therefore, I have arranged to have a meeting at which, I am grateful to say, the Premier (Mr. Davis) is going to be present, at the end of November with representatives of all of those

boards to discuss the matters the honourable member raises. I think it is important that discussion be as free, as open and as clear as possible before we proceed in any direction other than that which was suggested in the proposal.

Mr. Cassidy: Franco-Ontarians as well?

Hon. Miss Stephenson: Yes, all 19 boards.

MOTIVE ATTRIBUTED TO MEMBER

Mr. Speaker: Before proceeding, I would like to deal with the matter which was raised by the member for Nickel Belt (Mr. Laughren) at question period yesterday. I undertook to tell him I would report back on his point of privilege, which really was a point of order. He alleged that the Minister of Municipal Affairs and Housing (Mr. Bennett) was imputing motives by virtue of the words used in an answer.

I have taken a close look at what was said, lifting out the words I think he was referring to, and I would quote them directly: "for their own purposes." In my view and in my opinion, that does not impute motive.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. Kerrio: Mr. Speaker, I am pleased to present a petition, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The above petition is signed by 157 teachers from the following schools: A. N. Myer Secondary School, Lord Elgin Vocational School, Niagara Falls Collegiate and Vocational Institute and Stamford Collegiate and Vocational Institute, all of the city of Niagara Falls.

Mr. Haggerty: Mr. Speaker, I have a petition to present to the Honourable the Lieutenant

Governor and the Legislative Assembly of Ontario, which reads as follows:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This is from three different schools: Port Colborne High School, signed by 41 petitioners; Lockview Park Secondary School, 28 petitioners, and the Fort Erie Secondary School, 40 petitioners.

Mr. Ruprecht: Mr. Speaker, I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which reads as follows:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by over 80 teachers from two schools in Parkdale: West Toronto Secondary School and Parkdale Collegiate Institute.

Mr. G. I. Miller: Mr. Speaker, I too have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which reads as follows:

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The above petition is signed by 149 teachers from the following schools: Port Dover District High School, Simcoe Composite School, Delhi

District High School and Valley Heights Secondary School.

Ms. Bryden: Mr. Speaker, I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario in the same form as the other petitions presented this morning. In this petition the petitioners request the Ontario Legislature to "restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The petition is signed by 199 teachers from five schools in my riding: Monarch Park Secondary School, Malvern Collegiate Institute, Lakeview Secondary School, Greenwood Secondary School and SOLE School, which is a special school.

I support this petition.

INTRODUCTION OF BILL

ROITMAN INVESTMENTS LTD. ACT

Mrs. Scrivener moved, seconded by Mr. McLean, first reading of Bill Pr9, An Act to revive Roitman Investments Ltd.

Motion agreed to.

11:10 a.m.

ORDERS OF THE DAY

CONSTITUTION AMENDMENT PROCLAMATION (continued)

Resuming the adjourned debate on government motion 10: Rights and freedoms of the first inhabitants of Canada, the aboriginal peoples.

Mr. Stokes: Mr. Speaker, when we adjourned last evening I was attempting to elicit some response from the Minister of Intergovernmental Affairs (Mr. Wells) about his government's position concerning existing treaty and aboriginal rights. I referred to the great emphasis he placed on the need for consultation with the various native groups in order to entrench or enshrine these rights in the Constitution. He had emphasized the need for a more clear understanding of what treaty and aboriginal rights mean in that this government and this province have a responsibility for the social, economic and cultural wellbeing of our first citizens.

I referred to the hearings that were held in Lansdowne House in July of this year by a committee of the House of Commons that was looking into Indian self-government. I quoted from an exchange between the chief of the settlement of Lansdowne House and various members of that committee, including none

other than Mr. Allmand who was himself a Minister of Indian Affairs and Northern Development. During the exchange he said he was ashamed of what he saw while visiting the community of Lansdowne House and could not really understand why the government in Ottawa had been so callous, so indifferent, so insensitive and so unfeeling towards the plight of people living in that community.

It stretches credulity when a former minister of the crown who had specific responsibilities for the Department of Indian Affairs and Northern Development visits a northern community, asserts that he is ashamed and wants to know what the department he presided over takes exception to in the very modest request being made by the settlement of Lansdowne House in seeking reserve status. Such status would give them a form of local government, i.e., a chief and council that would be recognized by the Department of Indian Affairs and Northern Development under the Indian Act.

A former minister whose chief responsibilities were to protect treaty and aboriginal rights and to facilitate a meaningful rapport with our first citizens in that community said he was ashamed and asked why the chief, the council and members in the settlement were not able to convince the federal department that their requests were reasonable and urgent. That is almost like having the former Minister of Agriculture and Food in this House saying to a bunch of farmers, "Why can't you convince the present Minister of Agriculture and Food he should be doing something about the red meat industry in Ontario?"

The Minister of Intergovernmental Affairs, who is not in his seat or under the gallery, gave a lot of pious platitudes in his 20-page opening statement about existing treaty and aboriginal rights and about the need to set up a useful, productive and meaningful consultation to right many of the wrongs that have been perpetrated on our first citizens by both senior levels of government for many decades.

I want to quote very briefly from the hearings I referred to earlier. I am quoting directly from testimony given by the chief of the Lansdowne House settlement:

"Lansdowne House is an Indian community whose legal status is in dispute. Our community is not an Indian reserve and we are not recognized as a band under the terms of the Indian Act. These two factors—that we are not a reserve and that we are not a band—have caused many problems for our community.

Since we are not recognized under the Indian Act, we have four councillors in our community. We could have 50 if we wanted to, because we are not recognized.

"Historically, before our people signed the James Bay treaty in 1905, our people had their own chief and we were a band of Indians living in Lansdowne. When the treaty was signed, our chief and council and our status were lost. Our people became members of the Fort Hope band. There was no reserve land set aside for us at the community of Lansdowne, although the people existed, and they still exist, and they will exist in the future. But instead of settling down at the Fort Hope reserve, our people continued to live in the Lansdowne area, which we call our hunting, fishing and trapping areas. It is still our home and, as I said before, it is going to be our home for the future."

11:20 a.m.

He went on at great length to state why the settlement of Lansdowne House, along with the settlements of Webequie and Summer Beaver, is seeking reserve status—and the Minister of Natural Resources (Mr. Pope), who is fiddling with his papers, will know precisely what I am talking about.

I want to quote further from that testimony. He said: "Our site government has been pushing, we have been pushing, to have our community relocated since 1976. You have a document this afternoon from a study we did with a consultant firm based in Winnipeg. We want to relocate because the land that Lansdowne House is presently on is generally not suitable for the community setting. There is poor drainage, as we saw this afternoon when we toured the community. Because of this poor drainage, our children have to play in mud puddles and they have to wear rubber boots even in sunny weather such as today; even in hot weather when we have 90-degree temperatures. Most of my people have rubber boots today, not because they cannot afford runners or any other shoes they can make out of moosehide or whatever, but because our land is not suitable to wear those sorts of shoes in our community."

He went on at great length and if any members of the House want chapter and verse, I refer them to the House of Commons Hansard, issue 37, the proceedings and evidence of the special committee on Indian self-government.

I want to quote further from the reaction of one of the members who was listening to testimony from representatives of our native peoples. It was from a Ms. Jamieson, who comes

from the Six Nations reserve and who is also a member of that committee.

"The only thing I would say is that your description of the community in your brief is a very gracious one; perhaps a very mild one. What I saw today, frankly, really infuriated me. I saw Indian people living in inadequate homes, in a swamp, in unsanitary conditions; while right next door I saw government personnel in beautiful homes, a mission and this hall on high ground in a very nice"—and there is something wrong with the transcription here.

"The difference is so extreme, it is very shocking to me. I do not know an easier way to explain it than here we are, seeing what is left over from colonialism, in my view. I know the committee members are not wild about that term, but that is exactly what I see. Our committee is to deal with self-government, and that has to do with decolonization, I think."

I think that explains very vividly and very convincingly the attitude of both senior levels of government with regard to their perception of what treaty and aboriginal rights really are.

I want to remind members of this House that I had the privilege of visiting three northern communities this June with the first citizen of this province, who had expressed a wish to travel to remote northern communities to see for himself what life was like on those remote northern reserves.

We stopped first at Pickle Lake and had a nice visit with people in the community. We journeyed from there to the Fort Hope Indian band, spent all day and overnight there and had an opportunity to speak to community leaders and anybody else who had anything to say about the conditions in that community. We journeyed from there to Fort Severn on the shores of Hudson Bay, did the same thing there and returned to Big Trout Lake. Anybody who had anything to say at all was given an opportunity to do so.

The Honourable the Lieutenant Governor made only two promises. He said, "I promise to listen very carefully to everything you have to say and to direct your observations and your concerns to whomsoever you direct me." The other promise he made was, "I hope to be invited back in the not too distant future to see whether or not my visit here has had any effect."

As His Honour stated, as Her Majesty's representative to all of the people in Ontario, he felt he had a responsibility to visit those remote communities and to assist, if possible, in righting

some of the wrongs that had been perpetrated on our first citizens for decades.

He is not a political person. He cannot go the political route. I can only assume that His Honour has met the first of his promises, which is to tell representatives of both levels of government what he saw. I visit those communities on a regular, ongoing basis. As a result of my observations and what I have been told, I followed up with the appropriate ministers at both levels of government on the concerns expressed to us at that time.

11:30 a.m.

I am sorry the Minister of Natural Resources has left, because I am going to quote from a letter that I directed to his attention on June 27, shortly after our return from that visit. I tried to relay as forcefully, as honestly and as accurately as I could what I had heard that I felt the Minister of Natural Resources had some responsibility for.

"Dear Mr. Minister:

"During a recent trip to Fort Hope with His Honour the Lieutenant Governor, the chief and members of the band brought numerous concerns to our attention.

"One that was dwelt upon at some length in Fort Hope, as well as at Big Trout Lake and Fort Severn, was the traditional lifestyle of native people and assurances given or implied in treaties that they would have the undisputed right to hunt, fish and trap on all crown lands in perpetuity. Not only was this a guarantee of aboriginal rights to food along with leather and fur for clothing, but an implicit right to harvest vital and essential resources beyond the boundaries of the reserves. For at least 20 years your ministry has allocated trapping areas by the issuance of a licence to individual band members to designate specific areas of harvest. This same approach has been applied to fishing for food in many areas by the issuance of a commercial fishing licence with quotas for various species to protect the resource, with specific quotas in both cases.

"It is argued, and with some justification, that the requirement of a licence is in itself a violation of the original treaty.

"The seizure of gill nets belonging to members of the Fort Hope Indian band and the laying of charges against members of Fort Severn for violations under the Migratory Birds Act (since thrown out of court) are other examples of violations or abrogation of treaties signed in 1907.

"The West Patricia land use plan seems to

ignore the provisions of Treaty 9, and it can be argued that your ministry is formulating plans or guidelines which ignore or deny the existence of a formal contractual agreement between our native people and the crown.

"With the exception of the fishing agreement between our first citizens and the province of Ontario (still to be ratified by the federal government) there has never been a genuine effort to more clearly define, confirm or renegotiate treaty and aboriginal rights."

I am going to digress from my letter for just a moment to remind honourable members and the very minister to whom I directed this that I was one of the few people in this House who supported him in his efforts to have an Indian fishing agreement signed. Members know what he said in the past few days. For all intents and purposes, even that is dead because of the intransigence of the federal government to come to an agreement. The federal minister, Mr. Munro, disagrees with our Minister of Natural Resources, saying: "It is not dead. We just want more time to consider it."

One wonders whether the pressure put on the Minister of Natural Resources by some of his cabinet and caucus colleagues has killed the only real effort that has been made by anybody over there in living memory to come to grips with some of the problems I have been talking about. One wonders about commitment to treaty and aboriginal rights; one wonders about consultation. I will leave honourable members to draw their own conclusions.

I will go on:

"The West Patricia land use plan, with its terms of reference, inventories and resource management approach, fails to take into account that there is a legal and binding agreement in effect concerning resource utilization. Many scholars would argue that before any land use plan or guideline is put in place covering the Treaty 9 area, there must be a clear statement of commitment to and definition of treaty rights acceptable to our native people before any meaningful negotiations can take place.

"It is my hope that such a recommendation"—a faint hope—"will be part of the Royal Commission on the Northern Environment."

As the minister well knows, the Royal Commission on the Northern Environment has been in existence since 1977. It has spent in excess of \$9 million of taxpayers' money. The last official pronouncement I heard from the royal commission, which was something in the order of two and a half or three years ago, was that it was

having difficulty putting a focus on what its terms of reference were, and it was really waiting for this government to come out with a policy for economic development in that part of Ontario which the royal commission has been studying.

What we have here is this government saying it is waiting for recommendations from the Royal Commission on the Northern Environment and the commission saying it really cannot put a focus on it until it knows the direction this government is taking with regard to economic development. So there you have it.

"With this as a basis for negotiation, it will then be possible for all northern communities to address the specific components of an overall plan for their area.

"I am aware of the fact that the Kayahna tribal council and settlements like Summer Beaver are proceeding with land use plans for their summer and winter travel areas surrounding their traditional resource harvesting activities of hunting, trapping and fishing, or to put it another way, present land utilization.

"Proposed waterway parks in the Winisk River Provincial Park with the Webequie settlement within its boundaries are a clear indication that existing resource policies within your ministry are or will be in conflict with existing treaties.

"Other undertakings like the Ogoki Road are now under way without any regard to the Environmental Assessment Act, notwithstanding the Detour Lake study done by the Royal Commission on the Northern Environment, or the effect this road will have on traditional lifestyles. This is not to imply that the Fort Hope Indian band is opposed to all development. On the contrary, they are forever vigilant in searching for opportunities to enhance the social and economic wellbeing of its people while preserving and pursuing their traditional way of life. Forestry, tourism, road construction, cottage development will have a profound and irreversible effect on treaty and aboriginal rights.

"You are also aware that the communities of Summer Beaver, Lansdowne House and Webequie are seeking reserve status, something that the federal government has recognized for many years by virtue of core and capital funding as well as education and medical service.

"You are also more aware than most that native people look to your ministry more than any other as a source of employment in tree planting and fire suppression. They now complain that more and more contracts are let to

private contractors in the south, thus eliminating many tree planting jobs for their people. With timber licence limits now extended to the south shore of the Albany River, there is now a much greater need for a northern fire centre which should be located on the Fort Hope reserve."

I went on to say: "I am advised that when Kimberly-Clark limits were extended to Fort Hope's doorstep, Mr. Bernier, a former Minister of Natural Resources, approached the band and stated that limits north of the Albany River could be allocated to them. They are now advised that they would not be judged any differently than any others interested in timber limits. If such is the case, white man does indeed speak with forked tongue."

I was up to Fort Hope a couple of weeks ago and asked them again the status of the timber limits surrounding the Fort Hope reserve north of the Albany River; that is, areas that are not under licence to Kimberly-Clark. They still do not have a commitment from this government that the indigenous resources on their very doorstep will be made available to them for economic development on their reserve.

11:40 p.m.

If the government does not do that, do members know what happens when somebody wants to build a house in a place like Fort Hope, Lansdowne, Webequie, or any of the other 30 communities in that area? A contract is let by the Department of Indian Affairs and Northern Development. The lumber is likely purchased in Winnipeg or Dryden or Thunder Bay and sent by ground transportation to a place like Pickle Lake and flown to one of those remote northern reserves. Members know what it costs to fly supplies like that to those northern communities.

But there is no co-ordination between the federal and the provincial governments to provide them with seed money to use resources indigenous to the area that would bring down the cost of things we do up there, such as building schools, houses, medical clinics or whatever it is those people need. Think of how much bigger a bang for our buck we would get just by putting a little seed money in, or something as simple and straightforward as issuing a timber licence so that they could harvest the resources on their own doorstep. So much for consultation. So much for treaty and aboriginal rights.

"They also expressed the feeling that they were unfairly treated as a result of the 1924 Indian lands agreement"—or the adhesion to

Treaty 9. The minister has stated, "this is now a matter for negotiation by the tripartite committee, even though I have been urging a succession of provincial cabinet ministers to amend the provisions of this agreement for over five years.

"Another problem was raised concerning their attempt to take greater advantage of the tourist potential in the area.

"A lodge owner called a resident of the Fort Hope Indian Band asking him to get guides for his fishing camp as it was going to be a busy summer. He sent 19 guides to the operator of this lodge which had 25 tourists, but only five were hired. They were told it was up to the individual tourist, when usually it is the lodge owner who hires the guide.

"Another band member of the Fort Hope Indian band has been trying to get a licence to operate a tourist camp for several years. He feels that your"—the government's—"criteria are much too restrictive and it really annoys him when he works his trap line to see non-Indian tourist operators establishing in that area.

"A number of other issues were raised which I will be bringing to the attention of other ministers. But those enumerated above are those which deal directly and specifically to your ministry.

"In summary, let me emphasize that there is nothing more near and dear to our native people than their relationship to the land and the Great Spirit which put it and the resources there for their use, and might I be so bold as to quote a well-known and often used phrase, "To preserve and conserve."

"To your credit and against much opposition, you have persevered with the Indian fishing agreement. We ask that you follow through with the same practical and philosophical approach when dealing with treaty rights and resource and land use in addressing the legitimate and long-standing concerns of our first citizens.

"Your particular and swift attention to them will be most welcome and greatly appreciated by all concerned."

Do members know what happened to the Indian fishing agreement? To quote verbatim and directly from the Minister of Natural Resources, "Even that brief and halting step to come to grips with treaty aboriginal rights, land use planning, resource management, seems down the drain." So much for commitment to treaty and aboriginal rights.

Within the past week I read a band council resolution from the community of Kingfisher

Lake. I wish the Minister of Natural Resources, the Minister of Northern Affairs (Mr. Bernier) and even the Attorney General (Mr. McMurtry) were in their places now. They would know something of the history or the chronology of what I am going to speak about. Members interested in these things will be aware that the Attorney General enumerated all of the land claims that were being dealt with by the tripartite committee, by the law officers of the crown, with regard to land claims outstanding. I will be interested to hear what the Attorney General might have to say on this issue, if he participates in this debate a little later on.

This will indicate why I, personally, am probably even more infuriated than our first citizens when I hear the talk at the first ministers' conferences about treaty and aboriginal rights, and when I hear the 20-page opening statement by the Minister of Intergovernmental Affairs, when band council resolutions such as this are brought to my attention once again.

Back in about 1975, satellite communities of the Big Trout Lake band were seeking reserve status; namely, the Wapekeka reserve, Kasabonika, Kingfisher, Wunnummin Lake in my riding, and communities like Sachigo, Bearskin and Muskrat Dam. I see Bill Morris sitting there under the gallery, and he will know precisely what I am talking about; he goes up there quite regularly.

They were seeking reserve status. They were considered to be a part of the Big Trout Lake Indian band. Negotiations had gone on for 10 or 12 years with both levels of government. They were seeking provincial crown land which, if they were to get reserve status, would have to be transferred to the federal crown in trust for the native people living in those settlements. After very long, protracted negotiations, an accommodation was made, roughly, but not precisely, on the basis of an acre-for-acre exchange to accommodate the legitimate needs of the people living in those satellite communities.

There was one snag and it dealt with Kingfisher Lake, where the crown, in its wisdom—the provincial crown and the federal crown—said, "We will give you three locations: namely, reserves number one, number two and number three." This was not acceptable to the residents of the settlement of Kingfisher Lake. They expressed their concern about the lands that were to be designated as their reserves. All of the negotiators at the federal and the provincial levels said: "We understand your concerns, we consider them to be legitimate but we don't

want to abort the whole process because of your specific concerns. We will sign the blanket agreement with all of the people who were traditionally seen to be members of the Big Trout Lake band and we will resolve the specific problems at a later date. You have our word on that."

11:50 a.m.

That was in 1975. This week I got a band council resolution saying, "The council of the Kingfisher Lake band do hereby resolve that a majority of the electors of Kingfisher band of Indians, for whose use and benefit in common the Kingfisher Indian reserves 2 and 3 were set apart, whereby assented to the surrender for an indefinite term from date of acceptance by the governor in council by that band to Her Majesty in right of Canada, at a general meeting called by the council of the band and held on the sixth day of June, 1978, the whole of Kingfisher Indian reserves 2 and 3, described as situate, lying and being in the district of Kenora in the province of Ontario as shown on plan 15-78-012 and 15-78-013, Marshall, Macklin, Monaghan, OLS"—that is "Ontario land surveyors"—"attached in order that Her Majesty in right of Canada may exchange the lands so surrendered with the province of Ontario, Ministry of Natural Resources, for two new reserves to be known as Kingfisher Indian reserves 2A and 3A as shown on plans prepared by"—the land surveyors that I just mentioned—"Paul Torrance, on March 14 and 16, 1978 . . . that the province of Ontario commence the necessary action to complete the requested land transaction as the province has already agreed on this matter with crown Canada."

I called a fellow in the Ministry of Natural Resources who I think has a heart, a fellow who is responsible for Indian claims, and he confirmed everything I just related to this House. He confirmed that a commitment was made in 1975 and once they had something definite on paper from the Kingfisher settlement committee they would proceed with it.

I said to Ted Wilson, who is responsible for such things in the Ministry of Natural Resources, "What is the status of this?" He said: "We agree with everything they told you. There was a commitment made back in 1975." He added, "We sent the request for the designation along with our recommendations to the law branch of the Ministry of Natural Resources in June of this year to prepare an order in council for the transfer of land from the province of Ontario to

the federal government, to be held in trust for the residents of Kingfisher Lake."

He cannot tell me why the law branch of the Ministry of Natural Resources, after 10 years, had not seen fit to finalize the deal and honour a commitment made 10 years ago. So much for consultation; so much for treaty and aboriginal rights.

What would members of this House do, as individuals or as part of a community living north of the 50th parallel in this province of opportunity, in the most affluent nation on the face of the earth, if they knew that taxpayers' dollars that were appropriated to the Department of Indian Affairs and Northern Development at the federal level, those precious and scarce funds, were being used to provide accommodation for our first citizens in swamps? After a year or two, the houses sink, the underpinnings of the houses become rotten, the panelling on the walls starts to buckle.

The choice high ground within the community is dedicated to Hudson's Bay stores, weather stations and DIAND cabins. Scarce resources are used to put in water and sewage facilities for the very few white people who live in those communities, while precious resources are allocated by DIAND to build houses for our first citizens in swamps. That is what is going on in many communities in the north.

I want to ask the members of this House what they would do if they were residents of one of those northern communities and wanted to improve their social and economic wellbeing and wanted to set up a tourist camp, only to be told what they had in mind for a very modest hunting or fishing camp to accommodate tourists—who are starting to go up into those areas in ever-increasing numbers because of the shortage of fish and game resources much closer by—does not meet the criteria that were set by somebody down here in one of these high-rise offices we pass every day.

I want to ask what the members would say if they were residents of one of those northern reserves and they saw valuable timber resources right on their doorstep and they felt that by the orderly exploitation of those resources they could cut out the necessity of hauling lumber and other building materials all the way from Winnipeg, Dryden, Thunder Bay or Geraldton. They could have them produced right on their doorstep using indigenous resources, cut down on the high transportation costs and in the process provide employment for local people, get them off social assistance and give them a

feeling of pride and self-worth. Then they find out that is not the way the Department of Indian Affairs and Northern Development does things. Traditionally, they have always brought building materials in from the south and that is the way it is going to be.

12 noon

I want to ask what the members would say if they were members of a northern community, such as the ones I have been describing, and had some mineral resources within the confines of their reserve they wanted to develop to provide an economic base for the community, where the 1924 land agreement had provisions in it concerning mineral wealth found within the confines of a reserve where so-called traditional treaty and aboriginal rights were respected, and then had the Treasurer of this government say: "No. Notwithstanding the fact that this is a reserve and belongs to the native people, if you exploit any of the mineral wealth, there will be royalties charged against your resources and we take those off the top."

What is it in our psyche or our mentality, in the way in which we organize ourselves as so-called democratic institutions at the federal level and the provincial level, that makes us seem to have the ability and the need to thwart every effort that has been made by our first citizens who have been hived off into those remote northern communities? We say to them: "No. The resources are there but we set the rules and unless you can conform to those very strict and rigid guidelines, those resources really are not for you at all." Why is that?

I could go on for much longer than I want to or much longer than anyone would be prepared to listen about the conditions that exist in those northern communities, and how frustrated honest, sincere, dedicated and well-meaning community leaders up there are, how hard they have tried to convince both senior levels of government that they could indeed, for the most part, become independent, self-sustaining and quite capable of paddling their own canoe if given half a chance.

The member for Brant-Oxford-Norfolk (Mr. Nixon) and I talk about these things on occasion. He has suggested we set some time aside, as we are doing here in the discussion of this motion before the House. But when we refer to it every once in a while, we hear a lot of pious platitudes and nothing meaningful ever results from such an exercise.

Senior members of the House will know we had a members' tour in 1968 to northwestern

Ontario where members had an opportunity to view at first hand some of the conditions of which I speak. There was another tour for members in 1972, I believe, to northeastern Ontario, where they saw what the Ministry of Natural Resources wanted them to see—the highlights, the good things.

In a spirit of hospitality and with all sincerity, I would invite members to view at first hand—in these times of austerity I will not suggest a tour for all members—what the first citizens of this province and I saw in June. I would like them to see what I have been trying to talk about at every opportunity made available to me in this House over the last 15 years.

Those who would be in the group, I suggest, would include the Premier (Mr. Davis), the Minister of Northern Affairs the Minister of Natural Resources and even the new Minister of Citizenship and Culture (Ms. Fish), who now has responsibility for the Indian community branch with that very meagre budget she has to look after native affairs. I would also like to include the Provincial Secretary for Resources Development (Mr. Sterling), who has the responsibility for co-ordinating all of the so-called programs within provincial jurisdiction that have any relationship to the social, cultural and economic wellbeing of our first citizens.

I would like to have all those people sitting on the cabinet benches who have some responsibility for the things I have been talking about and the things this resolution speaks to in general terms. I would like to get all of them, with two back-benchers from over there, two back-benchers from this party, and take them on a trip to the north. There they could see whether or not the consultation the Minister of Intergovernmental Affairs talks about or the existing treaty and aboriginal rights he wants enshrined in the Constitution have any meaning or any validity. I extend that invitation most sincerely to anybody who gives a damn about this resolution.

12:10 p.m.

The member for Sudbury (Mr. Gordon) read from a prepared text last evening. It was very high-flying; it sounded good. If he had been listening to what I was saying last evening and this morning, the member has missed the real import and significance of what is being attempted by our first ministers if he can say, "All is well with the world and all we have to do is pass this motion and we have set the wheels in motion; that salves our conscience. We have all the governments in Canada on our side, and we are

off and running to satisfying the legitimate economic, social and cultural aspirations of our first citizens."

I want members of this House, who for obvious reasons do not get the opportunity, to go up there and see firsthand what it is we are talking about, what the whole process of consultation and the whole notion of treaty and aboriginal rights are all about. We all, individually and collectively, have a lot of soul-searching to do.

This motion is going to pass. We are going to support it. But it is not going to change anything unless there is a definite commitment by those responsible in the government to meaningful and active consultation and unless there is direct and decisive action by those at the federal level who have a responsibility. One can have all the so-called consultations by first ministers and all the things I have been talking about ad nauseam, but they are not going to make one tittle of difference until the government is more aware of those conditions in those northern communities.

Once again, and finally, I extend an invitation to all those people in the government who have some responsibility in that regard. Maybe I should even include the Minister of Consumer and Commercial Relations (Mr. Elgie) because he will know that a study was unveiled very recently that looked into and investigated the high cost of consumer goods and transportation in the far north. I hope the minister has read that. He has some responsibility for consumer protection. He has some responsibility to see whether there are injustices, inequalities or inequities in the marketplace. I know he will be concerned. If he has not read that report, I commend it to him.

Mr. Piché: On a point of order, Mr. Speaker: I should point out to the honourable member that there is a committee, the select committee on the Ombudsman, that will be going to the far north in early January. It is a committee of the three parties and it will be visiting the far north for three or four days. So not only is the member's invitation accepted, but as I mentioned, a committee will be there that includes his party.

The Deputy Speaker: I am sure that the—
Interjections.

Mr. Piché: Something is being done, and the member is still criticizing.

The Deputy Speaker: Order. The member is

not in order. If he wants to share that kind of information, perhaps he could send a note.

Mr. Stokes: Mr. Speaker, anything the member for Cochrane North (Mr. Piché) or any other members will do to make themselves much more familiar with the situation I have been talking about will be welcome. I have never heard the honourable member say anything by way of any pronouncements or getting involved in this. I invite him to get up and talk about what goes on at Attawapiskat, Kashechewan and Fort Albany. Sit down; I have the floor.

Mr. Piché: On a point of order, Mr. Speaker: I hope the honourable member will be in the House on Monday when I will be—

The Deputy Speaker: Order. Will the member state his point of order?

Mr. Martel: Throw him out. He doesn't have a point of order.

The Deputy Speaker: That is not a point of order.

Mr. Stokes: That is twice in the last couple of minutes he has indicated he wants to get involved; perhaps the Speaker will recognize him.

The Deputy Speaker: His time will come.
Interjections.

Mr. Stokes: I do not think there is any issue concerning anything in the province I feel more strongly about than this issue I spoke about last evening and this morning.

Mr. Shymko: So do many on this side.

Mr. Wildman: Then do something about it.

Mr. R.F. Johnston: You care more about the jet.

Mr. Piché: All you do is criticize. Let's work together on this. This is very important.

The Deputy Speaker: Order. The members will have their opportunity for debate in proper rotation. Would the member continue?

Mr. Stokes: By way of response to the interjections by the honourable members over there, I ask them to read the 20-page opening statement by the Minister of Intergovernmental Affairs and also to read the prepared statement by the member for Sudbury and point out to me or, more important, to our first citizens what they have said by way of recognizing the problems I have tried to present to the House.

Mr. Wildman: They weren't even mentioned.

Mr. Stokes: I may have missed something, but I did not see it. The member for High Park-Swansea (Mr. Shymko) and the member for Cochrane North are concerned—

Mr. Wildman: They should settle the land claims if they are concerned.

Mr. Martel: If they are concerned, they should do something. They are in power.

The Deputy Speaker: The member for Lake Nipigon has the floor. Will all honourable members refrain from the interjections.

Mr. Stokes: With the initiatives that were taken by the Prime Minister of this country and a spirit of co-operation by other first ministers, and with the inclusion of spokespersons representing the major native groups, a first step has been taken.

I think the time is ripe now for us to translate our words into meaningful action, something that will put some flesh on the bones they have been talking about. I have heard nothing of that over there. I will listen with a great deal of interest to the Minister of Natural Resources, the Minister of Northern Affairs, the Minister of Citizenship and Culture, the Provincial Secretary for Resources Development, perhaps the Attorney General and maybe even the member for Cochrane North, if they have anything at all meaningful and useful to contribute to this whole debate.

12:20 p.m.

Mr. Nixon: Mr. Speaker, I am quite pleased and honoured to follow the member for Lake Nipigon (Mr. Stokes), who has certainly been involved more than any other individual member in the day-to-day problems of the Indian residents of Ontario. I well recall the trip he was talking about when the members of the Legislature did get to Attawapiskat, Fort Severn and Winisk and the other communities to which the honourable member made reference. He has the day-to-day responsibility to see that the residents and taxpayers, the Indians in those communities, are properly represented in this House.

From time to time I can understand his frustration, particularly when he sees various ministries of the government of Ontario dealing with it in their usual protracted bureaucratic manner. No doubt their intentions are good, but red tape involves them and probably the lack of a real feeling not of sympathy but of the fact that the problem can be solved. They are not committed to the solution of those problems, and I feel those delays must account for some of the feelings the member has expressed.

The member has invited the members of the House to accompany him on a repeat tour of those communities more than a decade later. I

for one would be delighted to accompany him at his expense—or even mine, if it comes to that extreme position. I shall certainly look forward to it.

I have nothing but support for the resolution that is before us. I do not think we should get too excited about a constitutional amendment that binds the government of Canada and the first minister of Canada with the first ministers of the provinces simply to have two meetings in the next five years in conjunction with representatives of the native community, but I do feel the resolution does convey what passes in politics for good intentions and individual sincerity.

There is no doubt in my mind that the Prime Minister and the first ministers had that intention when they felt the best they could do was to make this a constitutional promise that the rights, as they are currently experienced, are safeguarded until such time—I would say in perpetuity—as they may be expanded and strengthened even further by the discussions that the constitutional amendment envisages.

For my part, I have the honour to represent the most populous Indian reserve in Canada. That does not make me particularly expert in joining in this debate, which in many respects is a listing of the injustices that have been part of our historic dealings with the native people in Canada and particularly in this province.

While a list of injustices could be prepared associated with the Six Nations reserve, it is far easier and, I believe in this instance, more helpful to recount the extremely effective accomplishments of that reserve community under the leadership of its band council and a succession of capable chiefs, most particularly the present one, Chief Wellington Staats, and his council.

The member for Wentworth (Mr. Dean), the Minister without Portfolio, travelled to the Six Nations reserve to represent the government of Ontario at the opening of a new bridge over the Grand River, built at a cost of more than \$2 million. The minister in his reticent way was able to convey to all present that the government of Ontario had participated to the extent of 80 per cent in the financing of the structure, which is wholly on the Indian reserve, on both sides of the river; and, of course, the Grand River is in many respects the river of the Six Nations.

This is just the most recent in one of the important developments to add to the quality of life on the Six Nations reserve. I do not want to bore the members who are sitting out this debate until one o'clock with simply a list of

what has been accomplished, but compared with what is done elsewhere, it is so significantly different that I am going to put it before the members.

The band council operates out of one of the finest administrative headquarters in my constituency. I do not know of any mayor or corporation in any of the towns or other areas that has a better building with a council chamber and offices for the various officials of the local government. It is an excellent site indeed.

After extensive discussions with the Ministry of Health here, but more particularly with the Department of Indian Affairs and Northern Development in Ottawa, they have recently completed an extremely fine medical centre. Once again it surpasses the quality of any other medical centre in my whole constituency. They are very proud that they have offices with the most modern equipment for dentists and medical practitioners, who are available there on a regular basis. It really is an excellent facility. It is not a hospital, because the Indians have supported and make use of the excellent active care facilities in Brantford and other communities nearby.

In the mail yesterday I received a very kind invitation from the chief to attend the opening of a new nursing home to replace the Lady Willingdon Nursing Home, which was built in 1923 and which obviously has long outlived its usefulness and safety. The new home is named after the Iroquois Confederacy, and it is an outstanding example of modern facilities designed for the care of our senior citizens.

I hope the Treasurer (Mr. Grossman) will be able to attend. No doubt he has been invited because, when he was Minister of Health, it was he who gave the approval for the extension of the number of nursing home beds that enabled the Indians to go forward with the building of the structure. It was financed federally, almost exclusively in this case, but certainly the co-operation of the government of Ontario was essential and appreciated. The chief is wise enough and a good enough politician to be sure that the present Treasurer, the then Minister of Health, was aware that the Indians understood the importance of provincial participation.

The list goes on, because the main community in the Six Nations reserve, the town of Ohsweken, is well equipped with a sewage system and water. They have just started work on a new subdivision which is going to include a building where the regional office of the Department of Indian Affairs and Northern Develop-

ment will be established. It will be removed from the city of Brantford.

Without going on at too great a length on these accomplishments, I would say that among all the communities in the constituency of Brant-Oxford-Norfolk, the one governed really independently by the band council of the Six Nations is probably more progressive than any other, if we are prepared to use a list of concrete accomplishments of the type I have brought to the House as the criterion of modern success.

I should also say that the debates in the band council are excellent. In quality, they probably exceed what we are used to hearing here. They do not simply spend money raised elsewhere; they have had to come to grips with some very difficult political decisions in the recent past.

I am very glad to see that the Minister of Government Services (Mr. Ashe) is here, because in his recent past incarnation as Minister of Revenue it was his, I am sure, distasteful duty to deal in a rather tough way with the Indian community on the Six Nations reserve when it became apparent that millions of cigarettes were being purchased free of sales tax and sold off the reserve as a bootleg commodity. There is no doubt this was happening, and none of the Indian officials denied it. They certainly were quite aware of their rights to purchase these and other materials free of provincial sales tax for their own use.

Frankly, I was very proud that the Indian chief and the council, while they responded toughly to the minister and his officials, still did not go behind the defence of "You are always against the Indians and you are trying to put us down, as you always have in the past." Instead, they came to grips with the situation, passed appropriate bylaws within their own council, which I believe in the long run are going to be the very best protection the Indians themselves can have that will safeguard their rights to buy these products free of sales tax for their own use but not endanger the precious revenues of the provincial ministry.

12:30 p.m.

After all, fair is fair, and I would like them to have everything they can get as well as what they deserve under the law. But in this instance I would say the chief and council have certainly shown their grasp of the law and their capabilities as individuals to deal responsibly and democratically on behalf of their own citizens with a very tough problem indeed.

I refer to this only to emphasize that the capability of the Indians for self-government is

certainly not in question in my area, nor, I believe, should it be anywhere else. There are problems in northern Ontario, where the Indian bands are smaller and more fragmented and have been under the special economic problems and pressures of communities that do not have independent sources of revenue for their own support and the support of their community and their families.

This is not true in the case of the Six Nations community, where many of them are very well employed and have special rights under the famous Jay's treaty to cross the border for employment readily. Many of them work in Buffalo and in New York state and have attained an international reputation as high steel riggers and so on.

There are those who say the Indians have a special genetic quality that enables them to work on high steel without the vertigo that affects most of us even when we stand up in the Legislature. I do not believe that is true. I simply believe they are extremely capable workmen and the confidence that goes with being able to do a good job has been handed on from father to son for a number of generations.

One of the developments in the Six Nations community, just by way of example, was the building of what I would say is one of the finest arenas in our whole area. Instead of coming to the government at Queen's Park and trying to get all the money necessary to hire a contractor to put it up for them, they realized that there was a very large structural steel building available in a nearby community. Knowing how to do these things and having the initiative that backs up this ability, they bought the building and moved the thing lock, stock and barrel, having taken it apart, and re-erected it on the reserve.

They have an arena that I would say is far better than the arenas in most of the communities in my area, which were built largely by the direct largess and generosity of Wintario, usually supported by local service clubs working very hard to find the proper money. But in this case the Indians actually did the work themselves, and very good work it was. As I say, it is an outstanding facility for the whole community.

I am very keen indeed that we as legislators recognize not only the desire but also the ability of the Indian communities for self-government. When I list all the things that have been done on the Six Nations reserve, there is no doubt that it is not generosity but the good judgement of the government in Ottawa, and particularly the

present minister, the Honourable John Munro, that has to be credited.

There are those who say, "The Six Nations community is in southern Ontario; it is easy for the various officials in the federal department to visit and serve." I suppose that is part of the explanation. But the instance here surely is that the chief, the council and the community have through their own initiative sought out the governmental assistance, particularly federal governmental assistance, that has permitted them to go forward with these things.

I have often felt that the federal Department of Indian Affairs and Northern Development, while it is well served by its officials, seems to have an awful lot of them. The various people at the local community level always have an opposite number in the district office, the regional office and the office in Ottawa with whom they must consult. I have got to know these people a bit because, like the local politicians, they attend the opening of these various facilities; so we have a chance to meet and talk about what is going on.

My own feeling is that more and more the federal department ought to get its hands off the day-to-day operation of Indian communities and emphasize what is clear to them and to everyone else, that in any community similar to those of the Six Nations the elected councils are quite capable of carrying on their own affairs in an extremely healthy and productive way.

I am very much concerned as well that there be no question that the Indians have the continuing right to support themselves and to have the benefits of any developments in the area having to do with natural resources. In the past, and I would say my ancestors were part of this, the non-Indian settlers would move into the area and say: "This is a pretty good piece of farm land. I guess we'd better get this away from the Indians somehow."

Certainly in the great Six Nations areas, there were large purchases of productive farm lands from the original Six Nations bands who came more than 200 years ago from what is now the United States. I believe the purchases were at arm's length and not improperly influenced in any way, but the non-Indian people moved into the area. The farm that has been in my family since about 1840, while it was not purchased from the Indians was originally Indian land from one of the most fertile parts of the whole of the southern Ontario peninsula.

That is not to say that the Indians in our community, or elsewhere as far as I know, have

been forced entirely off the fertile lands. The Six Nations reserve itself does have many extremely productive farms, and, along with the member for Lake Nipigon (Mr. Stokes), I would invite members to visit the Six Nations reserve; it can be reached more conveniently than Attawapiskat or Winisk. The residents of the Six Nations bands would certainly make them feel welcome.

In this connection, there are many things to do as a visitor in that area. They are leading craftsmen. You might be interested to know, Mr. Speaker, that during a recent visit of that great world-class Tory, Margaret Thatcher, the government of Ontario presented her with an extremely beautiful vase that was envisioned and crafted in the Six Nations reserve. If members go up there with a few dollars they too could acquire some of this world-class art. It could grace the various ministerial offices. The nice thing is that their carpets are deep enough that, if dropped, the vase would not be cracked.

There is a real tourist attraction in the Six Nations community that we have done little to emphasize. As a matter of fact, when the bridge I referred to earlier was opened a few weeks ago I suggested that Highway 54, which runs through the Indian community, ought to be redesignated as the Six Nations Parkway. We should make a real effort to inform our fellow citizens in Canada and around the world that as far as Indian culture in Canada is concerned, here is a readily accessible and beautiful community where travellers are welcome to participate in the scenery and the other tourist attractions, but more particularly to take part in the culture of the Indians themselves.

Mr. R. F. Johnston: Stay, René. We're waiting to hear from you.

Mr. Piché: I am speaking on Monday afternoon. It will be the first Monday you are here.

Mr. Nixon: Are you going to do something with him, Mr. Speaker, or will I?

The Deputy Speaker: Order.

Mr. Rotenberg: He's being provoked by the NDP. It's not his fault.

Mr. Nixon: He is going home to write his speech.

Mr. Martel: Or to get somebody to write it for him.

Mr. Nixon: It will be a collection of editorial views from the Kapuskasing Bugle.

I hope the developments in the Six Nations can be made a showcase for what Indians

themselves, through their initiative and properly backed by provincial and federal governments and provincial and federal revenues, can do for the community and the people. It is nice to know there is at least this instance where the Indian initiatives have in no way been stultified and that we can use it as an example of what can be done elsewhere.

As far as the resolution is concerned, we may recall that early in the tenure of the present Prime Minister of Canada—and we all know that he is nowhere near the end of that; there will be many years in which his policies to improve Indian affairs will continue—he was visited by a number of Indian bands. They felt that here was a new approach to the federal government. In response to their requests he said he would be quite prepared to repeal the Indian Act and related pieces of legislation if that was the wish of the Indian community. One can imagine the ferment of discussion that went on for months following in which the Indians realized that the Prime Minister, who had just assumed office, was prepared to take extremely far-reaching steps to respond to the requirements of the Indian community if it was their wish.

12:40 p.m.

In the final event, when the views of the Indian community were completely assessed, it was plain that while they were not completely satisfied or even nearly satisfied with the provisions of the Indian Act, still they felt that it served their special place in the community of Canada and recognized it as proper.

In the instance of many of my constituents, they argue with me that they do not consider themselves to be even citizens of Canada but allies of Her Majesty. When one looks at the traditions of the Six Nations one can see that was so. In fact, they had large lands which they owned and which they had ruled for centuries. I suppose they made the decision, wise or unwise in the view that we might have, of maintaining their allegiance and alliance with the British crown at the time of the American Revolution.

If they had had their way, probably the British would not have capitulated as soon as they did, because they were certainly great warriors and strong in defence of the British crown and the legitimate rule of the colonies. But their leaders capitulated and they found themselves on the losing side. Their position became untenable, and the government in the United Kingdom very properly offered them lands here in what

was then British North America, in an area, now Ontario, which was practically not at all settled.

There were two very small French settlements, one in the Detroit area which still exists, but in general there was nothing but bush and, over the years, Indian wars had eliminated almost all of the indigenous Indian settlers in this southern Ontario peninsula. There was nothing here but trees and game and very fertile land—beautiful hunting—so the Indians of the Six Nations, who were familiar with this, accepted the offer of the British crown to take up lands six miles on each side of the Grand River. They came over and established themselves in their community near Brantford and have been there ever since. They came here as allies of the crown 200 years ago.

In the coming year, they are celebrating that bicentennial and it is certainly appropriate that we in this House, the legislatures across Canada and the Parliament of Canada are considering the matters of Indian rights and the entrenching of those rights after they are carefully examined and established in our Constitution.

This bicentennial is a most appropriate time for us to be dealing with this. Naturally, I have the greatest enthusiasm in supporting at least the constitutional amendment that is before us. In my view, this shows the goodwill of the Prime Minister of Canada and the first ministers of the provinces to deal directly with the leaders and representatives of the native communities in seeing that their rights are regarded and fairly treated, that those that have been accepted are entrenched and that other rights are established and expanded so that we can live together as Canadians in happiness and prosperity.

Mr. R. F. Johnston: Mr. Speaker, I would be willing to allow the Conservatives to take their turn, if they would like to, rather than have them just leave this to members on this side to participate. I find the rather pro forma performance a little bizarre at the moment, with two set speeches that have been given and nobody rising to involve themselves. This is quite bizarre behaviour considering the importance of this matter.

I am no expert on affairs having to do with our native peoples or Indian communities in Ontario. I do not pretend to be. I had some experience before being elected, when I lived north of Peterborough, and some knowledge of life on the reserves in that area. I have had some experience, through our Constitution committee a couple of years ago in terms of presentations from the major native groups in the

province and a little bit during our family violence hearing in the social development committee. I am no expert, as is the member for Lake Nipigon (Mr. Stokes), whom I could listen to speaking on this subject for hours and hours because of his very personal knowledge of the reality of native peoples and Indians in northern Ontario.

I do want to speak very specifically about something falling out from this resolution. We all support the resolution. Many of us wish the accord could have been much deeper prior to this stage and not just be announcements of forthcoming meetings, but we are all obviously in favour of it.

I wish to speak very particularly regarding my portfolio as critic for Community and Social Services for this party and issue a call to action and demand action from this government to redress the harm we have done to Indian communities in this province over the last number of generations. I want to speak very specifically about child welfare in terms of this resolution and in terms of the suggestion of a move towards self-government, autonomy, control by our status Indian reserves of their own child welfare system; our failures in that regard in Ontario in the past and, in fact, the tragic consequences of our past and present policies in terms of native kids.

In Ontario, we have essentially taken a whole generation of Indian kids out of their communities in northern Ontario and moved them into southern Ontario. Huge numbers have been adopted by white families. They have been torn away from their cultural roots as a systematic policy of assimilation of the crudest form over the last 20 years. We are now seeing the results of that in terms of the destruction of a society of northern communities in the province.

Anyone who has read Patrick Johnston's book, *Native Children and the Child Welfare System*, will understand the enormity of that tragedy where so many kids were taken out to residential schools, brought into care in southern Ontario for specious reasons, never to be able to return to their home communities. The adults felt a sense of deprivation in those communities as we white-dominated government officials and children's aid society officials told them they were not capable of looking after their own children, that their values were not appropriate in terms of the raising of their children and that we could do a better job.

We took virtually half the kids out of specific reserves throughout northern Ontario and put

them into care by the children's aid societies which are dominated by white citizens, well meaning for the main part but the instrument of the destruction of society in northern Ontario of the various native bands.

It has not stopped, even though we have realized for some time what has been going on. We have slowed the process slightly, but this is the reality of what we found in one brief trip to Kenora without the experience of going to the isolated bands that the member for Lake Nipigon has been speaking about, which we should have visited as a committee in September when we were in Kenora.

Native children still make up 90 per cent of the case load of the children's aid society in Kenora, even though the population statistics do not warrant that high a number of children in care by that children's aid society. They have only four front-line native workers in 1983; four. There is one Indian representative on the board of directors of that children's aid society in 1983. There have been several attempts to get an advisory committee of native people to that CAS and they have not been successful; there has been a roadblock.

12:50 p.m.

We still extricate kids from those communities. We still find most of them being adopted in white homes with no chance of them being reunited with their families in northern Ontario. So this resolution is meaningless to us unless we understand that it is incumbent upon this government to stop the process of white interference now, the process of us telling them that we know best how their communities should operate, how their families should operate, how to best protect and nurture their children. What we are seeing is a decimation of the society and an abject failure on our part to provide proper care and sustenance and nurturing for those children, through everything we have been doing in the past.

Rather than us doing what we have been doing, which is a kind of pilot project approach to giving some support to some communities like White Dog or Winisk to provide some services on the reserves through their native control, we must be setting in place immediately the structural underpinnings for the Indian communities in northern Ontario to take control of their own child welfare system.

We must see there is no provincial role for us here, except to have an orderly extrication of our involvement on the reserves and to set in place, in a systematic fashion, the capacity of

those reserves to provide the kind of support within their own communities they feel is appropriate to protect children, to nurture children and to provide a sense of continuity in the communities.

For six or seven years we have been having tripartite discussions in this province in terms of getting more control of child welfare and social welfare programs by native communities. But still there are only 50 native workers involved in child welfare around Ontario; 50 in 1983. We do not have one band in Ontario that has control of its own child welfare at this point. There is one pilot project which is coming along well but we have not seen the enabling legislation which would permit them to have control of their child welfare in the Rainy River district.

We can be proud of the successes of some of our pilot projects, but we must contrast that to other jurisdictions in Canada in terms of what is going on. When we do that, we will see that we are failing in an abject fashion.

I would point to Manitoba, which has taken a very different approach to the divesting of control on child welfare matters. If we look at the facts, that we have a couple of group home projects in northern Ontario, that we still have the situation I described in Kenora, that we still do not have one band that is in control of its child welfare, and contrast them to what is in place now in Manitoba we can see we are miles behind. There is a desperate need for immediate action.

In Manitoba they have laid the groundwork for the Indian communities, the status reserve bands, to take control of child welfare administration. The last time I heard, 23 of the 25 bands are participating in that project. They have already placed in operation at this point a combination of white professionals and Indian paraprofessionals to start to develop these services in those communities on a systematic basis for a gradual complete transfer of responsibility to the native communities.

The band councils will now make the decision as to who gets adopted, not some white CAS. The band councils will decide whether or not there is need for a group home or an emergency receiving home in their community and work for the funding of that, not the local CAS.

I think we have a great deal to learn from the experiment that is going on in Manitoba and to understand that we have a major responsibility to move as quickly as we can in that direction, as quickly as the native communities wish to

move; and that our role in it must be as Manitoba's, which is to say that as soon as that divesting of responsibility is done we are out of that business and they have the responsibility of looking after their own affairs.

We have always known the funding has only just been laundered through the provincial government anyhow; the funding has always come from the federal government. We should move ourselves away from laying our values on those communities, from usurping their right to self-determination and the provision of the kind of services which will nurture their communities and not destroy their communities as we have done in the past.

One other thing I would like to add to this before I conclude my remarks is that what we have not developed systematically in this province is the capacity of native workers to provide the services on reserves that are taken for granted in southern Ontario and that are provided by professionals: CAS, family support services, day care services, whatever it might be.

It is time we recognize that we have to train as many paraprofessionals as we can, as quickly as we can, among the Indian communities and to get them in place in their communities as soon as we can in a community development sense so they can start to determine the priorities in their own communities and look after their own affairs.

With only 50 workers throughout all of Ontario at the moment we cannot possibly consider divesting ourselves of our responsibilities. We have to put child care workers in place and have good training for child protection workers. We need paramedical workers and native people who are working in early childhood education and we need those people to be trained as soon as possible, ignoring, as we would have to in northern Ontario, the requirements that we have at present for professional qualifications.

We learned at Grassy Narrows that there was only one person who had gone through high school in that community at that time. We will have to recognize people who are interested in the area, who wish to provide the kind of support even if they do not have the educational background and as quickly as possible get them the kind of training which will enable them to look after their own people and at least to start the planning for the kind of comprehensive programs that should be available to native people in their own communities.

It is unthinkable that here we are in 1983 and we have not done that. Here we are dealing with pilot projects, when we have not laid in place the basic structural foundations for the transfer of responsibility in child and social welfare programs in general. For any members on the government side to sit there smugly putting out statements such as the one we have seen, the opening statement by the minister, expressing that this resolution is a wonderful thing, when we have such a tragic history of our involvement in this is outright hypocritical.

There is not one member in this House who should not be up speaking passionately on this situation and demanding in a nonpartisan way, in a universal way, that we need action now and it needs to be a priority now. I hope that on Monday when Tory members start to participate again in this debate we will hear them saying so and not just mouthing these self-congratulatory kind of words about what we have done up to the present. In any kind of rational look at what has happened, we have failed miserably and we have not given it the kind of emphasis it should have.

It has been a privilege to participate in the debate and I would like to move adjournment at this point.

On motion by Mr. R. F. Johnston, the debate was adjourned.

The House adjourned at 1:01 p.m.

APPENDIX

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

INTERIM ANSWERS

230, 231, 304, and 307 to 314: The following statement was prepared under Cabinet Office letterhead:

The government will attempt to provide an answer to as many questions as possible before the prorogation of this session. It should be noted, however, that the tremendous increase in the number and complexity of questions placed on the order paper could require that increased amounts of time and manpower be diverted from present assignments in order to provide the information requested. An alternative would be to increase the resources allotted to the performance of this function. At a time when the government is endeavouring to adhere to an ongoing restraint program, neither course of action would seem to be appropriate.

Should there be questions that cannot be answered within the stated period, given these circumstances, members should note that sources other than the order paper may be utilized as part of the search for such information.

For example, the Public Accounts of Ontario will be of assistance in regard to many of the questions dealing with expenditures. Questions of this nature can also be directed towards the ministers responsible for such transactions during the estimates process.

All honourable members enjoy access to the research and information services provided by the legislative library, and all parties possess their own research capabilities funded through their budgets.

It is hoped that through a combination of these approaches, with the full co-operation of ministers and members, all honourable members will be able to attain the information that they seek.

Every effort will be made to answer the following questions on or before December 31, 1983: 230, 231, 304, and 307 to 314.

MINISTRY LAND HOLDINGS

230. Mr. Conway: Would the Minister of Energy advise the extent of the acres (or numbers of hectares) of land held by the ministry? [Tabled May 16, 1983]

Hon. Mr. Andrewes: The answer to the above question is nil.

231. Mr. Conway: Would the Minister of the

Environment advise the extent of the acres (or numbers of hectares) of land held by the ministry? [Tabled May 16, 1983]

Hon. Mr. Brandt: Land held by the Ministry of the Environment equals approximately 5,200 acres.

FIREFIGHTING EQUIPMENT

295. Mr. Wildman: Would the Minister of Northern Affairs provide a list of the unorganized communities in northern Ontario that have received fire protection equipment from MNA and the Ministry of the Solicitor General? Which communities specifically have received fire trucks? What is the total value of these trucks and of the other fire protection equipment that has been issued? Would the minister also inform the House which government official is in charge of this inventory of equipment and carrying out inspections to ensure it is being properly maintained? [Tabled May 20, 1983]

Hon. Mr. Bernier: 1. The following is a list of the unorganized communities that have received fire protection equipment, i.e., fire packages and miscellaneous equipment:

Fire packages — Ahmic Harbour, Allanwater, Ardbeg/Whitestone, Auden, Aweres, Biscotasing, Blindfold Lake, Britt, Caramat, Collins, Dawson township, Dinorwic, Dewart, East Gorham, Estaire-Wanup, Golden Valley, Hillsport, Hurkett;

Ingolf, Island Lake, Kashabowie, Kenabek, Kenogami, King-Lebel, Kiosk, Kirkup-Lemay (2), Kormac, Macdiarmid, Marion-Eva Lakes, Marten River, McKenzie Portage, Mills township; Mine Centre, Miscampbell, Missanabie, Montreal River, Niobe Lake, Nolalu, North Watten (2), Oba, Ophir;

Pearson, Pellatt, Perrault Falls, Phelps township, Pineal Lake, Redditt, Restoule, Robinson, Rosspoint, Savant Lake, Savard, Scoble, Sesekinika, Shakespeare, Shining Tree, Sultan, Tilden Lake, Tomiko Lake, Wabigoon, Wainwright.

Miscellaneous equipment — Alban, Allanwater, Argyle-Loring, Armstrong, Arnstein, Aweres, Biscotasing, Dawson township, Drayton, Estaire-Wanup, Goulais River, Hudson, Hurkett, Island Lake, Kenabek;

Lappe, Machin township, Macleod township, Madsen, Mills township, Minaki, Mine Centre, Miscampbell, Monetville, Mud River, Phelps

township, Savard, Shining Tree, Sultan, Whitefish Falls.

2. The following is a list of the unorganized communities that have received fire trucks:

Fire trucks—Batchawana Bay, Britt, Campbell, Cartier, Drayton, Ferguson, Errington-Ashmore (Macleod townsite), Gogama, Goulais River, Hawk Junction, Hudson, Hurkett, Jellicoe; King-Lebel, Lappe, Machin township, Madawaska, Madsen, Minaki, Nestor Falls, North Watten, Redditt, River Valley, Searchmont, Wabigoon, Wainwright, Whitefish Falls.

3. The purchase cost of the fire trucks was \$1,011,515. The other fire protection equipment had an approximate cost of \$700,000.

4. The field staff of the Ontario fire marshal is responsible to the Ministry of the Solicitor General for the inventory of the provincial fire protection equipment placed in the unorganized communities in northern Ontario.

The OFM's staff carries out the technical inspections, and through its formal fire protection agreement with the local fire team, the OFM ensures proper maintenance of the fire protection equipment.

The OFM, with the assistance of the northern affairs minister of MNA, assists the local fire chief on a regular basis to keep updated inventories, and to maintain an updated list of firefighters for WCB purposes.

CHIEF FORENSIC PATHOLOGIST'S SALARY

303. Mr. Di Santo: Will the Ministry of the Solicitor General table the following information: In view of the fact that the 1983 salary of Dr. Hillsdon Smith, chief forensic pathologist, is not found in the public accounts, as erroneously stated in the ministry's answer to my inquiry number 703, will the ministry supply the information requested? [Tabled June 1, 1983]

Hon. G. W. Taylor: The previous year's salary of Dr. John Hillsdon Smith appeared in the public accounts. The increase he received this year is within the inflation restraint guidelines.

EXPERIENCE '83

304. Mr. Lupusella: Will the ministry in charge of the youth secretariat table the following information: (1) How many students have applied and how many have been employed within the Experience '83 program? (2) Will the ministry give a breakdown of the ridings of residents and students hired across the province of Ontario? [Tabled June 3, 1983]

Hon. Mr. McCaffrey: Approximately 9,600 persons will be employed in the 1983 summer Experience program. Final data on the actual numbers will not be available until November 1983.

Information on the total number of applicants for Experience jobs is not available. A special survey to obtain this information would be difficult to conduct as applications for jobs are directed to individual ministries, branches and community organizations, and most young people apply for more than one job.

Statistics will be available in November on the number of persons taking part in the Experience program in each county. A distribution of participants by provincial constituency is not maintained.

SOCIAL ASSISTANCE APPEALS

307. Mr. R. F. Johnston: Will the ministry table, for the most current period and for comparable periods of 1980, 1981 and 1982, the number of appeals lodged with the Social Assistance Review Board showing for all such which proceed through hearing to decision the length of time elapsed between the receipt of request for appeals and the date of issuance of decisions, breaking down the duration of cases as follows: (1) up to 40 days; (2) from 41 to 70 days, and (3) over 71 days? [Tabled June 8, 1983]

Hon. Mr. Drea: The number of appeals are:

1982-83* 1981-82 1980-81 1979-80

Appeals filed	4,920	4,680	4,792	4,929
Hearings held	3,986	3,678	3,973	3,907

Interval from date of receipt to issue of notice of decision:

1982-83* 1981-82 1980-81 1979-80

61 days or less	1,181	1,574	1,300	Data
62 to 91 days	2,011	1,467	1,905	not
Over 91 days	794	637	768	available

*Subject to audit.

Note: Breakdown for intervals specified in the question is not available. Subsection 1(5) of O. Reg. 647 (RRO 1980) specifies that a notice of hearing shall be sent within 21 days of receipt of a request for hearing and subsection 2(1) of the same regulation specifies that a decision shall be reached within 40 days of sending the notice of hearing.

NORCEN ENERGY RESOURCES LTD.

308. Mr. Renwick: Will the ministry table immediately: (1) the full staff report to the Ontario Securities Commission of the investiga-

tion into the allegations of nondisclosure by Norcen Energy Resources Ltd., its directors and officers or any of them of its intentions with respect to Hanna Mining Co. in the issuer bid circular of Norcen Energy Resources Ltd. dated about October 27, 1981; and (2) the full submission made by the Attorney General to the Ontario Securities Commission about April 10, 1983, both urging that charges be laid under the Securities Act? [Tabled June 13, 1983]

Hon. Mr. Elgie: As you know, the Minister of Consumer and Commercial Relations must consent to a prosecution under the Securities Act. The minister is not involved in investigations conducted by commission staff where the commission does not recommend a prosecution.

On April 28, I took the unusual step of departing from normal practice to make an extensive statement to the Legislative Assembly concerning the Norcen investigation by the Ontario Securities Commission. I tabled several letters from the Ontario Securities Commission at that time.

I do not have the full staff report of the investigation, and I do not believe that it would be in the public interest to ask the commission to provide the report to me for tabling. My April 28 statement clearly explained the government's position on this subject. I do not intend to table any additional material.

G. W. MARTIN CO.

310. Mr. J. A. Reed: Would the Minister of Natural Resources provide a list of the timber licences that have been issued to G. W. Martin Co. since 1974? Please indicate the reasons for the allocation of the licences, whether these licences were advertised and tendered, whether awarded through order in council, the size and location of each licensed area, and any government financial loans and grants that have been awarded to this company? [Tabled June 14, 1983]

Hon. Mr. Pope: There were no crown timber licences issued in the name of G. W. Martin Co. during the period April 1, 1974, to date. Lists of grants and subsidies awarded by the various government ministries may be found in volume 3 of the Public Accounts for Ontario published by the Ministry of Treasury and Economics.

ISSUERS OF LICENCES

311. Mr. Wildman: Would the Minister of Natural Resources provide a list of the issuers of hunting and fishing licences in the township of

Johnson, the township of Plummer Add'l, the town of Bruce Mines, the township of Thessalon and the town of Thessalon? [Tabled June 15, 1983]

Hon. Mr. Pope: Following is the requested list of issuers of hunting and fishing licences:

Township of Johnson—Austin McClelland, Box 87, Desbarats, Ontario, P0R 1G0.

Township of Plummer Add'l—Kenneth A. Brechin, Green Bay Cottages, RR 1, Green Bay Road, Bruce Mines, Ontario, P0R 1C0; Joseph L. Taylor, Leeburn General Store, RR 1, Bruce Mines, Ontario, P0R 1C0; Gerald M. Shuttleworth, Jerry's Live Bait and Rock Shop, RR 1, Bruce Mines, Ontario, P0R 1C0.

Town of Bruce Mines—Frederick J. Borad, RR 1, Bruce Mines, Ontario, P0R 1C0; Louis Bordeleau, Copper Bay Service Station, 41 Taylor Street, Bruce Mines, Ontario, P0R 1C0.

Town of Thessalon—Douglas W. Davey, 156 Main Street, Box 582, Thessalon, Ontario, P0R 1L0; Marilyn J. MacLean, Hardware and Building Co., Main Street, Thessalon, Ontario, P0R 1L0; Maylon G. Thomas, Western Tire and Auto, 161 Main Street, Thessalon, Ontario, P0R 1L0.

Township of Thessalon—Mervin T. Brooks, Little Rapids General Store, RR 1, Thessalon, Ontario, P0R 1L0.

DEFINITIONS OF TIMBER OPERATIONS

312. Mr. Wildman: In view of the fact that the Ministry of Natural Resources' Blind River district office is taking the position that only "established" operators are eligible to be granted district cutting licences, would the Minister of Natural Resources define the term "established" operator? What qualifications and experience are required for an operator to be deemed "established"? How long must such an operator have been cutting under licence from the minister to be viewed as "established"? [Tabled June 15, 1983]

Hon. Mr. Pope: The demand for timber volumes in the Blind River district exceeds available supplies. The district takes the position that the requests or needs of existing operators are attended before any "new" operators may be considered.

In this situation the term "established" operator refers to those individuals who have operated in the district for some years and are considered in the preparation of short- and long-term plans for timber harvesting. In most

cases these operators are local people who depend on wood supplies provided by district cutting licences to make a living.

Requests for timber supplies from "other" or

"new" operators are considered as received. Positive action is taken only when any volume surplus to demands from existing operators are available.

CONTENTS

Friday, October 14, 1983

Oral questions

Brandt, Hon. A. S., Minister of the Environment:

Beach pollution, Mr. Elston, Mr. McClellan. 2108

Elmira landfill site, Mr. Epp. 2110

McCaffrey, Hon. B., Provincial Secretary for Social Development:

Closure of homes for developmentally handicapped, Mr. Peterson, Mr. R. F. Johnston, Mr. Wrye. 2101

Ramsay, Hon. R. H., Minister of Labour:

Minimum wage, Mr. R. F. Johnston, Mr. Wrye. 2104

Snow, Hon. J. W., Minister of Transportation and Communications:

Reconstruction of Ottawa Queensway, Mr. Peterson, Mr. Cassidy, Mr. Boudria. . . . 2102

Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities:

Remarks by Education minister, Mr. Allen, Mr. Bradley. 2109

French language services, Mr. Cassidy. 2111

Welch, Hon. R. S., Deputy Premier and Minister responsible for Women's Issues:

Battered women, Mr. R. F. Johnston, Ms. Copps, Ms. Bryden. 2106

Petitions

Inflation restraint legislation, Mr. Kerrio, Mr. Haggerty, Mr. Ruprecht, Mr. G. I. Miller, Ms. Bryden, tabled. 2112

First reading

Roitman Investments Ltd. Act, Bill Pr9, Mrs. Scrivener, agreed to. 2113

Government motion

Constitution amendment proclamation, Mr. Wells, Mr. Stokes, Mr. Nixon, Mr. R. F. Johnston, adjourned. 2113

Other business

Darlington nuclear plant, Mr. Kerrio. 2101

Motive attributed to member, Mr. Speaker. 2112

Adjournment. 2127

Appendix

Answers to questions in Orders and Notices

Interim answers, questions 230, 231, 304, 307 and 314

Andrewes, Hon. P. W., Minister of Energy:

Ministry land holdings, question 230, Mr. Conway. 2128

Brandt, Hon. A. S., Minister of the Environment:

Ministry land holdings, question 231, Mr. Conway. 2128

Bernier, Hon. L., Minister of Northern Affairs:

Firefighting equipment, question 295, Mr. Wildman. 2128

Taylor, Hon. G. W., Solicitor General:

Chief forensic pathologist's salary, question 303, Mr. Di Santo. 2129

McCaffrey, Hon. B., Provincial Secretary for Social Development:

Experience '83, question 304, Mr. Lupusella. 2129

Drea, Hon. F., Minister of Community and Social Services:

Social assistance appeals, question 307, Mr. R. F. Johnston. 2129

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Norcen Energy Resources Ltd., question 308, Mr. Renwick. 2129

Pope, Hon. A. W., Minister of Natural Resources:

G. W. Martin Co., question 310, Mr. J. A. Reed. 2130

Issuers of licences, question 311, Mr. Wildman. 2130

Definitions of timber operators, question 312, Mr. Wildman. 2130

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)

Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)

Boudria, D. (Prescott-Russell L)

Bradley, J. J., (St. Catharines L)

Brandt, Hon. A. S., Minister of the Environment (Sarnia PC)

Breaugh, M. J. (Oshawa NDP)

Bryden, M. H., (Beaches-Woodbine NDP)

Cassidy, M. (Ottawa Centre NDP)

Copps, S. M. (Hamilton Centre L)

Elston, M. J. (Huron-Bruce L)

Epp, H. A. (Waterloo North L)

Johnston, R. F. (Scarborough West NDP)

Jones, T., Deputy Speaker and Chairman (Mississauga North PC)

Kerrio, V. G. (Niagara Falls L)

Martel, E. W. (Sudbury East NDP)

McCaffrey, Hon. R. B., Provincial Secretary for Social Development (Armourdale PC)

McClellan, R. A. (Bellwoods NDP)

Nixon, R. F. (Brandt-Oxford-Norfolk L)

Peterson, D. R. (London Centre L)

Piché, R. L. (Cochrane North PC)

Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)

Rotenberg, D. (Wilson Heights PC)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament
Monday, October 17, 1983

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, October 17, 1983

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

CHILD RESTRAINT LEGISLATION

Hon. Mr. Snow: Mr. Speaker, I would like to take a moment today to remind the honourable members of the House that the second phase of the child restraint legislation will become effective November 1, 1983.

Toddlers weighing between nine kilograms (20 pounds) and 18 kilograms (40 pounds) must be secured in an appropriate car seat whenever travelling in their parents' or legal guardian's vehicle. In all other vehicles they must be buckled up with a lap belt.

Many of the honourable members may recall last fall when I announced the first phase of the child restraint legislation. Infants who were born after November 1, 1982, were required to be in a rear-facing car seat, and preschoolers weighing between 18 and 23 kilograms were required to be secured in a lap belt.

Our primary concern has been and will continue to be educating parents about the inherent safety of using child restraints. So, as of November 1, 1983, everyone from birth through adulthood must be buckled up. The driver will continue to be responsible for ensuring everyone under the age of 16 is properly secured.

I want to emphasize that there has been a remarkable decrease in deaths and injuries since January 1, 1976, when seatbelts first became mandatory in Ontario. In 1975, the year before seatbelt legislation, 1,314 drivers and passengers were killed in motor vehicle accidents. In 1982, that number dropped to 783, a drop of 40 per cent. In fact, 1982 statistics show the lowest number of deaths and injuries in 24 years.

I am confident that over the long term this trend will continue, now that everyone at all ages must be properly secured when travelling in their vehicle.

TEMPORARY SALES TAX EXEMPTIONS

Hon. Mr. Grossman: Mr. Speaker, to ensure early compliance with the progressive legisla-

tion referred to in the previous statement by my colleague the Minister of Transportation and Communications (Mr. Snow), I wish to announce today a temporary retail sales tax change.

Effective at 12 midnight tonight, until December 31, 1983, at midnight, there will be no retail sales tax on child restraint devices.

[Applause]

Mr. McClellan: Louder, louder.

Hon. Mr. Grossman: This step is being taken both to encourage the acquisition of these lifesaving devices and to draw attention to the new program in a very visible way.

Is the member for Bellwoods (Mr. McClellan) opposed to that?

I have one additional announcement regarding the recent sales tax holiday for furniture and appliances. Under this program, purchases of designated household furniture and appliances made prior to August 9, 1983, were exempt from sales tax provided the items were delivered by November 7.

The program has been very successful. Household furniture and appliance store sales rose sharply, by 63 and 60 per cent respectively, over the previous year during the May to August period. As well, Ontario manufacturers have stepped up activity considerably in response to the increased consumer demand. In fact, the level of activity is such that manufacturers are having problems acquiring the necessary raw material inputs.

Consequently, manufacturers and retailers will have difficulty meeting the existing delivery deadline. To realize the full success of the program, I am therefore extending the delivery deadline to December 31, 1983.

ORAL QUESTIONS

HYDRO REACTORS

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Energy. Just last Tuesday the minister made a statement in the Legislature about the problems with the nuclear reactors at Pickering unit 2. He said, "Ontario Hydro has kept both myself and officials of the ministry fully informed of what they are doing and of their results."

Was the minister or were officials of his ministry informed about the concerns expressed in the Ontario Hydro research division report No. 82-37-K, dated March 2, 1982, entitled, *A Review of Current Knowledge on the Effects of Hydrogen on the Pressure Tubes of Ontario Operating Reactors*?

The report stated, as I am sure the minister is aware, that "unexpectedly high concentrations of hydrogen were detected in the tubes removed from Pickering." It went on to say that the relative susceptibilities to hydride cracking are not well established for irradiated material.

If the minister knew about this report, why did he not convey the findings to the Legislature? And why did the ministry not act on this report a year ago? Had it done so, it might have prevented the six-foot rupture and loss-of-coolant accident.

Hon. Mr. Andrewes: Mr. Speaker, as to the whole question of the report that has been referred to by the Leader of the Opposition, I have a copy of the report here for his perusal if he wishes. It is a public document and is available in Hydro's research library.

The report in question really identifies possible programs of investigation of the degree to which pressure tubes in Hydro's nuclear reactors are absorbing hydrogen. It is a working document, a report commissioned by Ontario Hydro. Its purpose was to determine the potential for the life of the tubes in existing reactors. It sets out various scenarios and objectives.

Perhaps I should read some of them into the record. I am not sure the technical aspects of the report are all that clear to me or, probably, to most of the members here, but it sets out various objectives for Ontario Hydro in its efforts to make sure the operation of the reactors is carried out safely and efficiently. The document is not one that is readily familiar to me. It is not a document that identifies critical aspects of the operation of the reactors. As I said, it is a working document that talks about the problems of hydriding in a nuclear reactor.

2:10 p.m.

In my statement the other day, I informed the House of the extent of the research that had been brought forward on the activities at Chalk River by Ontario Hydro.

The Leader of the Opposition has posed a question about the knowledge available in the report. I think he should read the report and get some general gist of what it sets out and its

purpose. He asks, if we were aware of the report, why the ministry did not act on it. I caution him once again that, under the mandate given to Ontario Hydro under the Power Corporation Act, and substantiated by a select committee of this Legislature, the day-to-day management decisions, which this report deals with, setting out certain priorities in the operation of those reactors to make sure they are operated safely, rest with the management and board of directors of Ontario Hydro.

Mr. Peterson: For the minister's information, I do have a copy of that report, and I have read the report. I received it on Friday, presumably before he or his ministry was even aware of its existence. There is a specific recommendation in this report that certain tubes should have been removed, which might have prevented the problems that did occur. Why was this not done, and who made the decision not to go in for that kind of testing?

Hon. Mr. Andrewes: The report sets out certain priorities in terms of the operation of these reactors. The report deals with the specific instances at Pickering units 3 and 4 and specific instances at the Bruce generating station, and it touches on the matter of Pickering units 1 and 2. The report was initiated because of problems in terms of leaks at units 3 and 4 at Pickering and at Bruce. Up to the time of the publication of the report, there had been no such problems at Pickering units 1 and 2. Therefore, the priorities set out by Ontario Hydro in the management and operation of its nuclear facilities were set in terms of dealing with the situation at the Bruce unit and at Pickering units 3 and 4.

Mr. Rae: Mr. Speaker, the minister will be aware that page 23 of the report states, and I quote: "It therefore appears to be desirable to remove tubes from units 1 and 2 as soon as possible if decisions based on the results of evaluation are to be available in 1983."

The minister will recall that I asked him specifically about Pickering unit 1 in my question to him last week with respect to this issue. I ask him whether he was aware at that time of this recommendation and whether he does not feel, with this recommendation now available, that the government should be testing Pickering unit 1 at the same time as it is testing the tubes in unit 2.

Hon. Mr. Andrewes: Mr. Speaker, once again I want to talk about the fact that this report does not deal specifically with the blistering, the

hydriding, in the tubes that allegedly caused the break at Pickering unit 2 on August 3. It deals with a series of problems that were encountered at Pickering units 3 and 4 and at Bruce.

On the whole question of the activities, the restitution and the restarting of Pickering unit 2, I reported accurately and thoroughly last Tuesday in terms of the knowledge that was available with respect to the break in the Pickering tubes on unit 2. As I said, I will endeavour to bring the House up to date when further information is available, and will do that forthwith.

Mr. Peterson: I remind the minister that the report refers specifically to the hydriding problems at Pickering units 1 and 2, because only they have the weak Zircaloy pressure tubes. The minister will be aware that the report recommended removal of the tubes from units 1 and 2 for testing. That is very specific and in the report. My question to the minister again is this: Why was that not done and who made the decision not to do it?

Hon. Mr. Andrewes: I think I answered that question earlier. It was not done because there were certain other priorities dealing with Pickering units 3 and 4 and with the Bruce station. It was a decision of the management of Ontario Hydro not to do that.

Mr. Peterson: It clearly speaks to the need for accountability. I am sure you would agree, Mr. Speaker.

YOUTH EMPLOYMENT

Mr. Peterson: Mr. Speaker, I have a question for the Treasurer. He will be aware that last week we discussed the question of youth unemployment in this province. He said, and I quote, "We have about \$250 million going to youth employment programs." I do not believe that is the case. In fact, the 1983-84 budget allocated \$121 million, or even less, for specific youth programs. Of this amount, nothing is going to year-round programs offering extended periods of employment combined with educational upgrading for disadvantaged youth.

Would the Treasurer not agree that this kind of program has to be a priority for him, for his government and for this Legislature, and would he undertake to bring in that kind of year-round program?

Hon. Mr. Grossman: Mr. Speaker, of course it is a priority. In fairness, if the honourable member put together many of the programs along with extensions, he would find that the effectiveness of some of those programs covers

both winter and summer. There is no point during the year at which there is not a significant level of youth employment program being carried on by the government. If the member believes there are more effective programs that might be mounted, we would welcome his input.

I have had the opportunity to discuss this matter with my colleague the Minister of Education (Miss Stephenson) and my officials, and they have discussed it with the federal government. Indeed, last Thursday I met at some length with the federal Minister of Finance, Mr. Lalonde, and we exchanged views about the need to deal with some programs in the youth unemployment area in particular. We are currently reviewing all those programs.

I want to repeat what I said last week. I believe the core of youth employment programs and training programs in this province remains quite strong, and the financial commitment to them is quite significant. None the less, we all have to continue to find ways to supplement that and to improve those programs, and that is precisely what we are about.

Mr. Peterson: The minister will be aware that a 20 per cent minority of all unemployed youth accounts for a majority of youth unemployment and that this speaks to a long-term chronic situation that has developed. Certain people are forgotten, even underneath the umbrella of his own programs.

I am sure the minister is aware that the Ontario youth employment program, the summer Experience, junior ranger, summer replacement, co-op student hiring and other short-term summer programs account for about 72.6 per cent of all the positions for youth. That leaves only the Ontario career action program, winter Experience and the young Ontario career program to make up the difference in other parts of the year. We are still not addressing that group of young people who have not been able to find any skills or any training or any work under the minister's programs.

Would the Treasurer give us his undertaking as the minister responsible for the development of these programs to address that hard-core group of needy youth who are getting no training and no experience and who at this moment face a very bleak prospect?

Hon. Mr. Grossman: To be fair, when the member outlines those programs, he really should add in all the programs the government has; many of them, though they are not labelled under the specific category of youth employ-

ment programs, have a very major and dramatic impact on youth employment.

All the training programs the Ministry of Colleges and Universities has mounted in the last year have a quite significant degree of youth participation, as the member very well knows. All the job creation measures we undertook with the federal government, the total number of job creation initiatives, everything in, amounting, out of last April and May's budget itself, to about \$500 million. In terms of the amounts of dollars that are being spent in the unemployment and employment area generally, in fairness, one would have to total in all those amounts and all those programs. With youth unemployment being as high as it is, obviously those programs are going to be targeted to pick up a great number of those people, in addition to those who are picked up and targeted by the youth employment programs themselves.

2:20 p.m.

With respect, I want to share with the member the concern about trying to develop programs which continue to address the problem. Also, to be fair, I should like to indicate that the employment programs mounted with the federal government and with us are very comprehensive, very expensive, and really have provided a vast array of training in other kinds of programs in which youth are participating today. The figures would verify youth are participating in a large way in some of these programs.

I would add one other thing. As we see some of the participation rates of youth in post-secondary education programs, it is also quite clear that some of the unemployed youth are choosing to continue their training in educational programs in some of our post-secondary educational institutions, which I would have to say is quite a good thing.

Mr. Foulds: Mr. Speaker, can the Treasurer explain why a maximum of six out of 72 forestry graduates from Lakehead University were able to find employment this year, either with the government or with industry, when there is such a crying need for unit foresters on the ground in order to implement the program the government has talked about through its forest management agreements?

Hon. Mr. Grossman: Mr. Speaker, I can surely tell the member for Port Arthur that one of the priorities of this government over the next year will be to allow the expansion of the FMA program itself. As he well knows, in this past year we had a major expansion in FMA pro-

grams, and if one goes across the range of government activities it will be found that FMAs have experienced the largest growth of just about any new program in this government.

In point of fact, I know the member supports the FMAs in which my colleague the Minister of Natural Resources (Mr. Pope) has taken some significant and courageous initiative. Just to correct the record for the member, I do support those programs and I can tell him this much—

Mr. Foulds: How about the unemployed foresters?

Hon. Mr. Grossman:—the honourable member can just keep fishing until he gets one I do not support; keep trying.

I can tell the member that not only do we support everything he has mentioned this afternoon, but the policy and priorities board of cabinet has already decided at this early stage of the allocations process that the FMA program shall continue and be expanded.

Mr. Speaker: The honourable member for Simcoe South—Essex South, sorry.

Mr. Mancini: Mr. Speaker, I was somebody else.

My supplementary concerning youth unemployment is for the Treasurer. Perhaps the Treasurer is aware that during the 1981-82 fiscal year several millions of dollars which were allocated to the Ontario youth employment program were not spent, and therefore many thousands of unemployed youth did not even get the opportunity to take advantage of these government funds which were allocated to help them attain summer jobs and whatever type of skills they could learn during that period.

Will the Treasurer please review the circumstances which led to that money not being used through the system, and can he assure us from now on he will monitor the programs concerning youth unemployment to ensure that the meagre funds that have been allocated to youth unemployment will be spent?

Hon. Mr. Grossman: With respect, Mr. Speaker, I would like to suggest that the member will not find any amounts not spent in this current fiscal year in any of those programs.

HYDRO REACTORS

Mr. Rae: Mr. Speaker, I have a question for the Minister of Energy. Did the minister know of the contents of this report when he reported to the House last Tuesday?

Hon. Mr. Andrewes: Mr. Speaker, as I mentioned earlier, this is a working document that

comes out of the operation of Ontario Hydro. It is a public document. I reported to the House on the status of the Pickering unit 2 problem and the information that has come forward from Atomic Energy of Canada Ltd. in terms of its examination of the tube failure. I reported that to the House accurately and I stand behind that report.

Mr. Rae: Did the minister know of the existence of and the contents of this report when he spoke to the House last Tuesday?

Hon. Mr. Andrewes: If it is relevant to the status of Pickering 2, I did not know.

Mr. Peterson: Mr. Speaker, it is quite obvious that the minister did not know; but he will now be aware that the report deals with the platelet formation caused by the hydriding in the Pickering 1 and 2 units, and the platelets caused the blisters.

The report dealt specifically—and this is the important part—with the possible rupture-before-a-leak theory instead of the theory that is being put forward by Hydro, of course, the leak-before-the-break theory.

Mr. Speaker: Question, please.

Mr. Peterson: Is the minister aware that this report in essence refutes what Hydro has been saying about some of the disruptions at Pickering?

Hon. Mr. Andrewes: Mr. Speaker, I think that is a conclusion the Leader of the Opposition is drawing from information contained in this report and other information I have presented to the House. It is a conclusion that I do not find particularly accurate.

Mr. Rae: Would the minister care to comment on the fact that Ontario Hydro did not brief him with respect to a document entitled *A Review of Current Knowledge on the Effects of Hydrogen on the Pressure Tubes of Ontario Hydro Operating Reactors* before the minister reported to this House on that very subject last Tuesday? Does he not find this absolutely incredible? How does he feel as a minister coming into this House and telling us about the plans that Ontario Hydro has with respect to the reactors at Pickering when he has not even been briefed with respect to the contents of this report, which contradicts the kinds of statements he made last Tuesday?

Hon. Mr. Andrewes: I want to remind the honourable leader of the third party that this report deals with a variety of issues that Hydro has, as I understand, embarked on implementing. It deals with the issue of hydriding; it deals

particularly with the issue of hydriding related to the leakages that occurred in Pickering units 3 and 4 and at Bruce. These leakages were not caused by the alleged blisters on the tubes, which apparently have caused the problem in Pickering unit 2.

So I think to draw the conclusion that this report simply and solely sets out what might have happened in Pickering unit 2 one year ago is a false conclusion to come to. That is the purpose of the research that is going on at Chalk River; that is the purpose of my report of last week. The further details that are coming out from Chalk River and that research will be reported to the House, as I said earlier.

Mr. Rae: The minister has not only been mugged, he has been left out to dry and is still hanging out there.

I have another set of questions for the minister. The minister will be aware that on page 24 of this report it states: "Unplanned outages can be expected if hydride-related problems develop over the next few years." I do not recall the minister saying anything about that last Tuesday.

"Operation of tubes with low flaw tolerance under certain conditions could also result." I do not recall the minister saying anything about that last Tuesday.

"The consequences of this could be tube rupture and obviously substantial damage to the reactor core." I do not recall the minister saying anything about that last Tuesday.

Mr. Speaker: Question, please.

Mr. Rae: If the substance of what the minister had to say last week was not misleading, why was this information not presented to the House last Tuesday, if indeed it was public information?

Hon. Mr. Andrewes: The question of misleading the House I find a little out of the way at this time. I told members that this report deals with a variety of issues. This report does not specifically deal with the issue of hydriding and blisters on the tubes themselves that have allegedly caused the problems at Pickering 2. This report deals with the question of REFAB, a process of retrofitting reactors to make them operate efficiently and safely and to extend the life of those reactors.

I cannot emphasize enough that this is a generic study related to several problems of hydriding, but specifically to the whole question of the effects of increased hydrogen at the tube ends.

2:30 p.m.

Mr. Rae: I asked the minister a question specifically relating to unit 1 last week. On page 23, with respect to units 1 and 2, this report states quite specifically, "It therefore appears to be desirable to remove tubes from units 1 and 2 as soon as possible if decisions based on the results of evaluation are to be available in 1983." Why was I not given this information last week?

Hon. Mr. Andrewes: May I read further from the report? If the leader of the third party will go to page 23, the third paragraph starts off like this, "The decision dates for rehabilitation of Pickering units 1 and 2 have not been fixed but the feasibility of REFAB is to be established by early 1982." There are another two paragraphs and then the paragraph that the leader of the third party has read.

Once again, I think he wants to be conscious of what was being studied in this report. This report was not specific to the alleged cause of the break at Pickering unit 2. It was a generic study that undertook a variety of observations related to a number of reactor problems.

Mr. Peterson: For the benefit of those who only read executive summaries of various reports, let me refer to page 24 of this report. Paragraph 4.6 speaks of the consequences of tube removal. Paragraph 4.7 speaks of the consequences of not removing the tubes. Then there is the conclusion, which is the bottom line of this report: "The arguments for pressure tube removal have been presented and discussed. Tube removal appears to be necessary and a suggested time frame has been established." That is what the bottom line of this report is.

Mr. Speaker: And now for the question.

Mr. Peterson: Why was it not done?

Hon. Mr. Andrewes: Having had a briefing on this report, again I am quite confident that this is a generic report. The conclusions refer not only to Pickering units 1 and 2 but also to units 3 and 4, as well as to the Bruce units. Many of the programs suggested in this report have been instituted and an ongoing set of priorities will be established. The problems confronting Ontario Hydro with Pickering unit 2 have certainly pre-empted some of the activities outlined in this report and have set new priorities for the utility.

Mr. Rae: Now that the utility has this set of new priorities and the life of pressure tubes is substantially less than that of the life of the reactors themselves, and it now appears that the

core of the reactors is going to have to be rebuilt several times over in the life of the reactors—

Mr. Speaker: Question, please.

Mr. Rae: —can the minister table before this House any estimates with respect to cost, and the very different cost scenario that now appears thanks to the exclusively nuclear future that his government has built for the province?

Hon. Mr. Andrewes: I am not prepared to table that specific detail at this time.

UNCONDITIONAL MUNICIPAL GRANTS

Mr. Van Horne: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. It is a question regarding changes in the unconditional grants program.

Interjections.

Mr. Speaker: Order. I have recognized the member for London North with a new question.

Mr. Van Horne: I was waiting for the endangered species at the end to finish its noise.

This is a question to the Minister of Municipal Affairs and Housing. In view of the concern that has been raised by municipalities across Ontario about the government's discussion paper proposals related to changes in the unconditional grant program—a concern, by the way, that I think the minister referred to in Kirkland Lake as "hysteria"—will he assure this House that no changes will be made in the unconditional grant program until all municipalities have had the opportunity to fully understand and financially assess the various proposals put forward by his ministry, by the Association of Municipalities of Ontario and by the northeastern mayors' group?

Further, will he guarantee to this House that, regardless of whatever changes may be made, no municipality will receive less than it is currently receiving?

Hon. Mr. Bennett: Mr. Speaker, I am sure that if the member were to continue to read the article relating to my remarks in Kirkland Lake, he would see what I also said in relation to the fairness of play with which this government has always treated its municipalities in the transfer formulas. Indeed, I said at the time that this government had never stood by and watched municipalities suffer as a result of a change in formulas relating to this or other aspects of our survival in Ontario.

I said to AMO in August of this year, and I will repeat again, that we will be reviewing with AMO the various briefs they have submitted to us along with those of various municipalities. When we have concluded that and have arrived

at whether it is a completely acceptable situation or not, the decision will be with this ministry and this government to make the announcement.

Mr. Van Horne: The question is raised because the minister not only used the word "hysteria", but I think in his comments he also used the term "winners and losers," and he has said more than once that there would be winners and losers in this situation.

Mr. Speaker: Question, please.

Mr. Van Horne: Given that Kirkland Lake would stand to lose \$718,000 under his proposal, North Bay would stand to lose almost \$250,000, Hearst would lose \$157,000 and Red Lake would lose \$129,000, can the minister give this House any assurance that these municipalities will not be affected adversely when the changes are implemented by him?

Hon. Mr. Bennett: I think we had better go back and have a look at what the white paper happened to be about. Very clearly, it was suggesting to municipalities that we were trying to fulfil some of the requests that have been made to this ministry over the last number of years in trying to simplify the formula of the transfer of funds between the province and the municipalities.

What we put down in the white paper were examples. Indeed, it was not spelled out in any way, shape or form that they were conclusively a new formula to be established by this ministry and this government in relation to those transfers. I said very clearly at AMO, and I will repeat again in this House, that they were put out as an example to try to draw out from the municipalities some views and positions they would like to take. AMO, as the member is likely aware, has submitted to us a position paper at the moment and is continuing to study further the position of the transfer of funds between the province and the municipalities.

It would be foolish of me to stand here as a minister and say we are going to guarantee that those figures are or are not correct, because there was not a formula put in place that would positively relate to a transfer policy at this time. They were only examples.

I repeat that if the member will look at the article from Kirkland Lake, what I said in relation to the hysteria had to do with one member of that council who went off on the fact that because we had used these as examples, that was what his municipality was going to suffer. It was not the case at all; he knew very

well it was not the case. He and other municipal representatives have used it as a leverage factor in trying to say to the government, "We will not accept any transfer unless it has an advantageous position for our municipality."

I do assure this House that if we get into the transfer formula and have it changed, rest assured the municipalities will not suffer.

Mr. Rae: Mr. Speaker, I still have not heard a clear statement from the minister. Is he or is he not prepared to guarantee that regardless of which scheme the ministry eventually adopts, no municipality will receive less money than it was receiving before?

Hon. Mr. Bennett: Mr. Speaker, let us also take into the analysis that at the time we do this transferring there might be other situations that will change in those communities that are not part of the current calculation of the formula, so if we keep it on a static basis as to how we are calculating today—that is, population and various other factors—there could very well not be any change or loss to those municipalities.

I said to the municipalities—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Bennett: Just a moment, Mr. Speaker.

Mr. Speaker: Never mind the interjections.

Hon. Mr. Bennett: Very well. I will go back to the question of the leader of the third party. If other parts of the formula that currently are in place have changed—population has changed, the assessment has changed . . .

Mr. Foulds: Oh, if the assessments change.

2:40 p.m.

Hon. Mr. Bennett: Oh, isn't that interesting. Those come into the play right now in the transferring factors in the municipalities. I said if the formula was changed they would not suffer, provided all other things stayed equal.

CLOSURE OF HOMES FOR DEVELOPMENTALLY HANDICAPPED

Mr. R. F. Johnston: Mr. Speaker, my question is for the Acting Minister of Community and Social Services. We missed the minister and his imitation of Frank Drea meeting Marie Antoinette outside this afternoon. I think it would have been a great crowd-pleaser.

We expected a statement from the minister today around deinstitutionalization. I wonder if in his answer to me he might inform this House whether or not his first review of the situation does not bring him to the conclusion that there

has been a diminishing of the commitment by his government to deinstitutionalization and to community programs for the mentally retarded in this province, especially when we note that 3,800 people were deinstitutionalized in this province between 1975 and 1983, whereas he is only projecting 1,000 to be deinstitutionalized in the next five years—

Mr. Speaker: Question, please.

Mr. R. F. Johnston: Mr. Speaker, if you would follow it, this is part of the meat of the question. Of the 1,000 people the minister is saying he will deinstitutionalize over the next five years, 25 to 30 per cent will actually go back to big institutions, so only 600 as compared with 3,800 people will be deinstitutionalized, and he is perpetuating long waiting lists for community care in the province. Does the minister not agree that in his review there has been a diminishing of a commitment to deinstitutionalization and community programs for the mentally retarded in this province?

Hon. Mr. McCaffrey: Mr. Speaker, at the outset, no, I do not agree there has been any change or alteration in that commitment. If it would be appropriate now, I might tell the member for Scarborough West I indicated to the Speaker I did have the answer today.

Mr. Speaker: No, I would rather have that a little later, if you do not mind.

Hon. Mr. McCaffrey: Then no, there is no change in the commitment to deinstitutionalization.

Mr. McClellan: I would like to ask the minister whether he is aware of the following factual information which was provided to me by the executive director of the Metropolitan Toronto Association for the Mentally Retarded.

Mr. Speaker: Let us assume the minister is aware and put your question, please.

Mr. McClellan: Is the minister aware specifically that the last time they received funding for a new adult group home in the Metro Toronto area was 1981, that they have four additional proposals which are still awaiting funding and that, as of August 31 of this year, the waiting list for community living facilities within Metropolitan Toronto was 437? With a waiting list of 437, he has provided six spaces. Does the minister not understand that the program of deinstitutionalization is virtually in a shambles?

Hon. Mr. McCaffrey: I think I indicated on Friday, and I suspect in fairness to the questioner I should reiterate it, I am not aware of the

details to which he has just alluded. I am prepared to discuss the concept of deinstitutionalization and the government's commitment thereto, but the member asked some important and specific questions. With his permission, I think I would like to get back and answer on those specific numbers he has raised.

Mr. Wrye: Mr. Speaker, the acting minister will be aware that the Ontario Association for the Mentally Retarded gave its conditional approval to the closings based on the fact that none of those who were involved in the closing of the six centres would be brought back to larger institutions. I will return to one of my leader's questions on Friday, which pointed out that of the 99 people, 32 have since been returned to larger institutions. Does the minister not believe the fact that one third are already back in larger institutions is renegeing on the promise made to the association and to those people and their families that they would not be shifted back to larger institutions?

Hon. Mr. McCaffrey: Mr. Speaker, I do not want to get into a situation where the prepared detailed response I undertook on Friday to bring back to the House today is going to parallel some other comments I would make, but I guess I am forced to.

In my meetings with the people in the Ministry of Community and Social Services, we spoke to that very point about the commitment that no one would be moved to larger institutions. At the very best, I could not determine there had been such an undertaking, but further and maybe more to the point, the and Social Services, we spoke to that very point about the commitment that no one would be moved to larger institutions. At the very best, I could not determine there had been such an undertaking, but further and maybe more to the point, the resolution as to the individuals within each of the six institutions on balance has been satisfactory. That is on the basis of discussions with the parents and members of the family. While there are some shifts from one institution to another, I am not aware of any commitment that precluded a move to an institution from a closing institution.

TORONTO TRANSIT COMMISSION CONTRACT

Mr. Hennessy: Mr. Speaker, I direct my question to the Minister of Transportation and Communications. With regard to the Urban Transportation Development Corp. proposal for replacement of subway cars and streetcars

for the Toronto Transit Commission and with regard to Canadian Car in Thunder Bay, would the minister be kind enough to intercede on behalf of Can-Car in Thunder Bay to ask Mr. Ian Sinclair, who is evaluating tenders on behalf of the TTC, to speed up the awarding of tenders, as many workers in the Can-Car plant are facing layoffs if quick action is not taken?

On Saturday I had a delegation come to my office. They were concerned there would be a delay in the awarding of the Santa Clara contract to some time in the summertime. If the TTC contracts do not come in quite soon, they will be forced to lay off a great number of people. They are greatly concerned, and I share that concern. I would like the minister to contact Mr. Ian Sinclair, who is employed by the city of Toronto to evaluate the contracts, to see if he can perhaps speed them up a bit.

Hon. Mr. Snow: Mr. Speaker, I would like to clarify the point as to whom Mr. Sinclair is working for. My colleague indicated he is working for the city of Toronto. An article in the Thunder Bay newspaper says he is working for the Ontario government. He is working for the TTC. He has been appointed by the TTC to evaluate the tenders which have been submitted by UTDC.

Mr. Peterson: That wasn't the question.

Hon. Mr. Snow: In response to the interjection of the Leader of the Opposition, I have to say that remark was uncalled for.

Mr. Speaker: Never mind the interjections. Let us get back to the main question.

Hon. Mr. Snow: I am very much aware there will be major layoffs, I expect, at Hawker Siddeley's Can-Car plant at approximately Christmas-time of this year. This is brought about by the completion of Hawker Siddeley's only current contract, which is to make the bilevel cars for GO Transit. I understand that contract will be completed and the last cars delivered by the end of 1983.

UTDC's involvement with Hawker Siddeley and Can-Car takes place on January 4, 1984, when the agreement that was entered into a few months ago will be completed and UTDC will become a formal partner with Hawker Siddeley in that plant. I have to say that at least there is a new contract for that plant which will provide jobs, even if not immediately. Without UTDC's involvement, I believe it is quite likely those layoffs at Christmas could have been permanent.

The TTC proposal was submitted to the TTC by UTDC in late August of this year. As with

any of those types of contracts or proposals, there have been some negotiations going on since that time. The TTC has appointed Mr. Ian Sinclair to be an arbitrator or a reviewer to review those tenders and proposals and to advise the TTC on his views as to the fairness of the proposed contracts.

I hope Mr. Sinclair will be reporting to the commission so it can make its report by the first week of November. I will have to say that in making a report on a contract like this, from August to November is quite good timing. I also might mention that the bid that was submitted on the Santa Clara contract went in on March 18.

Mr. Speaker: I really do not think that had anything to do with the question.

Mr. Hennessy: With all due respect to the member of my party, my question—

Interjections.

Mr. Speaker: Order.

Mr. Hennessy:—to the minister is: The people of Thunder Bay, whom I represent, have asked me to ask the minister to speak to Mr. Sinclair and not have it come in on November 1, but to have it come in next week or a little sooner, because every day is important.

2:50 p.m.

Hon. Mr. Snow: Mr. Speaker, with all due respect, I was coming to that part of the answer before I was cut off at the knees. I was trying to explain that it does take a reasonable period of time to evaluate this type of contract. The Santa Clara contract took seven months from the submission of the tender until we had the contract.

I am afraid I have to tell my colleague and member of my party that it would not be appropriate for me to call Mr. Ian Sinclair because he is an arbitrator appointed by the TTC. Even though he may be a constituent of mine, I do not think it is appropriate for me to call him on this particular contract. Anyone here would believe that would be inappropriate.

I am very much aware that everyone is anxious to see the contract between the TTC and UTDC concluded so that the additional work for the Can-Car plant could be added to the Santa Clara contract. I will do everything possible to see that comes about as soon as possible. I can assure the member and workers at Can-Car that I can foresee no undue delay. Certainly, the process has been going along very speedily to this time.

Mr. Cunningham: Mr. Speaker, is the minister aware that this very proud Can-Car plant, that at one time employed in excess of 1,000 people, is, according to reports by Mr. Foley in the media yesterday—

Mr. Stokes: Would you believe 5,000?

Mr. Cunningham: I am talking about modern times—is looking at layoffs that may require its maximum employment in the future to be reduced to somewhere in the area of 300 people?

Can the minister confirm those statements made by Mr. Foley recently?

Hon. Mr. Snow: I am very much aware of that very proud Can-Car plant; but if that very proud Can-Car plant had taken the initiative to get contracts some time ago, perhaps there would not be as big a layoff as there has been.

As I have previously stated, and I do not want to be accused of repeating myself, I am very much aware that there will be major layoffs in December at the end of this current contract. Everything possible has been done to gain new contracts since UTDC entered into the partnership with Hawker Siddeley. I think they have been very successful and should be congratulated.

However, when you enter into one of these contracts, it does not provide jobs immediately, the next day. There is a considerable lead-in period to set up, to expedite, to actually do the construction of the cars on the plant floor. There is an acquisition period when all the orders must be placed, the final engineering completed and the plant got ready.

Mr. Foulds: Mr. Speaker, can the minister confirm that there will be fewer than 100 people working at the Can-Car plant this Christmas? Can he explain why he thinks it is inappropriate for him to put some pressure on a part-time commissioner, a part-time arbitrator, Ian Sinclair, in order to provide full-time jobs in Thunder Bay? Why is it inappropriate for the minister to put pressure on him to come to a conclusion?

Hon. Mr. Snow: Yes, Mr. Speaker, I am aware. I have said it twice and I will say it again. I am aware that there will be major layoffs at the end of the bilevel contract which is to be completed in December. I will again say that I can only assume, and it is my impression, that those layoffs would have been permanent and the Can-Car plant would have been totally closed had it not been for the arrangement made between UTDC and Hawker Siddeley.

You may say that is conjecture, but I think

that would have been the case and I think most of the people in Thunder Bay would agree with me. However, when the new contracts start to roll, I hope that plant will be booming again the way it was some number of years ago, mainly doing contracts for the TTC or for GO Transit; except that we want to make the base much broader than the TTC and GO Transit.

I am not going to try to explain to the member why it would not be appropriate for me to call Ian Sinclair. I do not think it would. I think there would be a conflict of interest if I, as the minister responsible for UTDC, were to put pressure on Ian Sinclair, the arbitrator appointed by our customer, to come up with a decision. If the member cannot see any reason why I should not, then he is not as smart as I thought he was.

CLOSURE OF HOMES FOR DEVELOPMENTALLY HANDICAPPED

Hon. Mr. McCaffrey: Mr. Speaker, this is in response to a number of questions that were asked last Friday.

Honourable members will recall that, of the 100 residents who moved from the St. Lawrence Regional Centre in Brockville when it closed on June 30, 25 were transferred to other facilities and 75 were placed in the community. This issue was discussed fully during the ministry's estimates debates earlier this year and, as the Minister of Community and Social Services (Mr. Drea) reported to this House on April 28, 1983, and on May 19, 1983, the achievements of the Brockville closure exceeded earlier ministry predictions with respect to the number of residents who would be capable of community living.

Since the closure three residents have gone to the Rideau Regional Centre because of behavioural problems, and no further community placements are planned for them at this time. One man has been temporarily placed in Rideau pending return to a community placement. Another resident has been transferred to Rideau from the Adult Occupational Centre in Edgar. Three higher-functioning persons are currently being treated at Kingston Psychiatric Hospital for recurrences.

During the years 1975 to 1982 the Ministry of Community and Social Services has successfully discharged 3,800 people from its facilities to the community. Experience through this period has shown that approximately 10 per cent of the residents discharged from facilities incur adjustment problems. The St. Lawrence experience, therefore, compares with this norm. This is an

outstanding achievement of community placement, especially when one considers that detractors of the plan predicted that as many as two thirds of the residents would be transferred to other facilities.

With regard to the two privately operated group homes in the Brockville area, I can give the fullest assurance that community boards will be overseeing these operations within the very short future. In the meantime, these homes are under the direct supervision of the ministry's area office and are providing excellent care to the residents.

With respect to the Bluewater Centre, 67 of the 150 residents have already been placed—42 of those in community residences and 25 in facilities. The ministry proposes to move a total of 65 residents to facilities because of program needs, parental requests or to bring these individuals closer to their homes. Most of these 65 will go to the Midwestern Regional Centre in Palmerston, a facility similar in size and environment to the Bluewater Centre. The rest will move to the community residences that are currently being established. Plans have been finalized for all of the 150 residents.

As to the consultation process, all parents, next of kin or interested friends have been individually consulted before final decisions have been made in every case. The consultation process has not been sporadic. In fact, it has provided the first opportunity for those concerned to find out the real facts of the plan.

To date, this consultation has succeeded in assuring the majority of parents that we do have realistic and meaningful community plans for their sons and daughters and that we do indeed intend to keep the promise by assuring that: first, no residents will be moved until a properly supervised residential placement is available, a daytime work training or activity program is in place and the additional community backup and support are available to ensure a smooth transition to the community; second, no facility will close until appropriate provision is made for every single individual; and, last, all parents or next of kin will be fully consulted before a final decision is made.

For examples of the success of this consultation process, one need look no further than to two cases—

Mr. Speaker: I think really you are to give specific answers to specific questions, and having done that, thank you very much.

3 p.m.

Mr. Rae: Mr. Speaker, I would simply like to ask the minister whether he can now confirm that as a result of what has happened, centres have been closed and transformed into institutions for young offenders in the case of several of the centres. In fact, as many as a third, or up to 40 per cent in the case of the Bluewater Centre, have simply been transferred to another larger-sized institution.

Given that fact, how can the minister possibly talk about the changes that have taken place in these institutions having been done with the interests of the residents in mind? Does he not recognize that what has happened—because of its own internal needs in terms of institutions and in terms of its penal program for young people—is that the government has decided to shuffle people around from one institution to another in the name of so-called deinstitutionalization and that the program is nothing short of a fraud on the people of this province?

Hon. Mr. McCaffrey: With respect, Mr. Speaker, the point the leader of the third party raises compares to the point raised by the member for Windsor-Sandwich (Mr. Wrye). I have in my possession—and I have no reason in the world to think I am the only person with this public document—a News Backgrounder sent out by the Ministry of Community and Social Services which speaks to that very point of transferring to institutions. I quote:

“Those residents of the six institutions to be closed who are not yet capable of living in the community will be transferred to institutions that are closer to their homes or that offer specialized programs they require.”

It is a moot point about the size of the institution they are being transferred to—

Mr. Rae: It's not a moot point if you're living there, brother.

Mr. Speaker: Order.

Hon. Mr. McCaffrey: With respect, the commitment was made by the Minister of Community and Social Services, as I recall in estimates, but it is repeated again in this public document, that the transfers—any transfers of any residents from any of the six institutions—will not increase the size of any one of those institutions to which they are being transferred. It is not a shell game, as the honourable member is trying to make it out to be.

The last point the leader of the third party alludes to is that this was somehow a package proposal, to close six institutions and then

reopen several of them because of the impending proclamation of the Young Offenders Act. In fact, I think two of the six institutions have been identified as facilities that will be used when the Young Offenders Act is proclaimed, but no undertaking has ever been made beyond those two.

CHICKEN PRODUCTION

Mr. Boudria: Mr. Speaker, I have a question for the Minister of Agriculture and Food on World Food Day. In view of the fact that Sunday, October 16, was World Food Day, "a day to draw world attention to the issue of food production and supply and distribution," in his words, would the Minister of Agriculture and Food tell us how in good conscience he can allow a situation whereby thousands of chickens in eastern Ontario, equalling millions of pounds of food, will be spoiled by his inaction in refusing to tell the Ontario Chicken Producers' Marketing Board to allow them to go to market in this province? How can he allow that to happen as the Minister of Agriculture and Food?

Hon. Mr. Timbrell: Mr. Speaker, I have been very concerned to learn in recent months that the apparent position of the official opposition in this province is that the government should dictate to the producer marketing boards in this province how they are to manage their affairs.

The history of the situation to which the honourable member alludes is a very lengthy one. Suffice to say that we in the Ministry of Agriculture and Food have been attempting for some time now to facilitate an orderly answer to the problem to which he refers. Part of that process has been an offer made to every one of the producers in question, that is, people who do not have quotas, who apparently have been producing chickens outside the marketing system, to have those birds processed in Ontario if they would sign papers agreeing not to place any more chicks until such time as the matter of their quotas is resolved.

I am very disappointed to learn that the position of the official opposition is that the 46-year history of the relationship between the government of Ontario and producer marketing boards should be so substantially changed that now the government should start running the boards and telling them how to conduct their own affairs. That would be a very sad state of affairs.

Mr. Boudria: Is this the best answer the minister can give to Roger St. Denis of my

riding, who has lost 7,000 chickens that have overgrown their size and are now collapsing and dying under their own weight because the marketing boards will not allow them to go to market? That is only one farmer. Does the minister not think an answer such as that is not a feather in his cap?

Hon. Mr. Timbrell: I am sure the member is not going to buy extra copies of Hansard to send that one out to his constituents.

What the member for Prescott-Russell is going to tell Mr. St. Denis—

Mr. Boudria: What I am going to tell him is that it's your policy.

Mr. Speaker: Order.

Hon. Mr. Timbrell: Does the member want an answer?

Interjections.

Mr. Speaker: Order. Briefly, please.

Hon. Mr. Timbrell: Very simply, what we are talking about is the orderly conduct of the affairs of a group of producers in this province who elected many years ago to operate under a supply management system. I take it that if at any time somebody were to come along and say, "We want to take the quota away from your area for a particular commodity to put it somewhere else in the province because we think we should have the right to do it," the member would defend the marketing system.

In this case, the member has opted instead to make some rather irrational and unjustified statements about members of my staff and about the whole process. I will be glad next spring, when we get into estimates, to go through that with him. The offer to Mr. St. Denis, as to every member of GEVEO, Groupe des éleveurs des volailles d'est Ontario, has been that they could process all their birds, every last one of them, in Ontario if they would sign the legal documents agreeing not to place any more chicks until such time as their quota desires or applications are resolved. That is the best answer I can possibly give. Otherwise, I take it what the member is saying is that the whole marketing system in this province should be disbanded.

Mr. Speaker: The time for oral questions has expired.

LENGTH OF MINISTERIAL ANSWER

Mr. Wrye: Mr. Speaker, on a point of order: I am really seeking your guidance. You will note that section 27(a) says, "The minister may take an oral question as notice to be answered orally

at a later sitting"—and that is what my friend the acting Minister of Community and Social Services (Mr. McCaffrey) did—"but where any reserved answer requires a lengthy statement the statement shall be given under 'Statements by the Ministry'."

I may be incorrect, but I believe the minister's answer ran between four minutes and four minutes and 10 seconds. At what point does that not become a statement? It sounded awfully like a statement to me.

Mr. Speaker: The Provincial Secretary for Social Development is standing in and taking questions for another minister and I was going to speak to him after this session.

Interjections.

Mr. Speaker: Just a minute. He is attempting to answer an accumulation of questions that have been put to him on previous days. He has undertaken to provide an answer, as he said he would. I do not think that could be covered under statements, quite obviously. Perhaps he should deal with them one at a time on a one-to-one basis, perhaps by tabling the answer, perhaps by sending a memo to the individual member. To accumulate them as he has done, and I am not being critical, does take up a lot of the time of the House.

3:10 p.m.

WHITE FARM EQUIPMENT

Mr. Nixon: Mr. Speaker, on a point of order: It has been many days since the Minister of Industry and Trade (Mr. F. S. Miller) has been available in this House. We heard his quavering voice on Metro Morning from Tokyo, and it may be that he is not going to come back at all because we know they have to spend a week in Maui on their way back.

I wonder what we are going to do, the member for Brantford (Mr. Gillies) and I, about White Farm Equipment since there does not seem to be anybody over there looking after the interests of those 1,000 workers and there is no one we can put a question to. Could you arrange to see that the matter is set right for members of the House who are not supporters of the government?

Mr. Speaker: As the honourable member knows, it is beyond my authority to do that or to keep track of any of the ministers. However, I am sure one of the ministers has taken notice of the member's question and will address himself to it appropriately.

ELECTION ANNIVERSARY

Mr. Nixon: I have another point of order, Mr. Speaker. I know you and all of the members will want to be reminded that this is the 16th anniversary of the general election of October 17, 1967, I believe. A number of our colleagues have survived that long: five Liberals, two New Democrats and three Tories.

Actually, that was a great campaign. The issue was, "It's time for a change after 24 years of Tory rule." The positive aspect we Liberals offered then was the slogan that appeared on every bumper sticker in the province, "Nixon Now."

Mr. Speaker: That was hardly a point of order, but a point of interest indeed. Thank you.

QUESTION PERIOD

Mr. Kennedy: I have a point of privilege. Mr. Speaker. Indeed, 1967 was a great year. My point of privilege, however, is that I have been trying for a couple of days to get on with a question to ask the status of the appeal in the granting of bail to a young man after the holdup of a Becker's milk store in Peel, and I cannot get on.

I want to explain. On each of the days since the House reconvened, apart from the questions of the leaders of the two opposition parties and the replies, we have had only three or four questions from other members in this Legislature. There are about 120 others who may have very urgent and pressing things to discuss, and this is one of them.

I know you referred to it on the reference to the point of order that was raised across the floor, Mr. Speaker, but I wish the government House leader (Mr. Wells) or someone would take this up so other members could be heard.

Mr. Speaker: That is a point that is well made and well taken. Perhaps some of the member's colleagues on all sides of the House will take note of that. I would point out for the benefit of all members that 32 minutes were allotted to the answering of questions by private members, and everybody on all sides of the House participated.

Mr. Martel: No, no. That is not quite the fact.

Mr. Speaker: It is so. I have nothing to do with the answers, as the member knows.

Mr. Cunningham: On that point of order, Mr. Speaker: Anticipating the sincerity of the question I believe my colleague opposite would advance if he were given the opportunity by way of time, and in view of the fact that we did have some very long answers, might we seek the

unanimous consent of the House for that honourable member to put his question either to the Premier (Mr. Davis) or the appropriate individual in question?

Those of us who have followed that issue in the press understand the depth of feeling that member and the rest of us have on this subject. Perhaps we might allow him, with the unanimous consent of the House, to put that question.

Mr. Speaker: That is rather interesting. With unanimous consent, the House can of course do anything. Is there unanimous consent?

Some hon members: Agreed.

Some hon members: For what?

Mr. Speaker: Do you not know what you are saying agreed to? The question put forward by the member for Wentworth North (Mr. Cunningham) was that I seek unanimous consent of the House for the member for Mississauga South (Mr. Kennedy) to place a question.

Mr. Martel: Mr. Speaker, would you recognize a supplementary question from each of the other two parties on the original question?

Mr. Speaker: If it is the wish of the House, I am obligated to do that, as you know. Is it the wish of the House?

Agreed to.

ORAL QUESTIONS

BAIL ORDER REVIEW

Mr. Kennedy: Mr. Speaker, I appreciate very much the point brought forward by the member for Wentworth North and, of course, the consent of the House. My problem is that the minister to whom I want to address the question is not in the chamber. My question is for the Attorney General, but I see he has left the chamber. I do not know whether he is coming in or not.

Mr. Speaker: I am told he is on his way in.

Mr. Kennedy: Could I perhaps address it to the Premier (Mr. Davis)?

Mr. Speaker: I think you can place your question now.

Mr. Kennedy: I thank the chamber again.

Will the Attorney General advise the House as to the status of the crown's appeal in the granting of bail to Clive Brown, which I understand is before the county or regional court in Peel, with respect to the Becker's milk store holdup?

Hon. Mr. McMurtry: Mr. Speaker, as my colleague knows, I instructed crown counsel to

have the bail order reviewed in the higher court. I am sorry I cannot give him the precise day of the hearing. I do not think it had been set as of last week. To the best of my knowledge, it will be heard some time this week.

Mr. Kennedy: I would appreciate it being expedited.

In the light of escalating crime and violence, will the Attorney General consider giving a directive to judges to toughen bail conditions or even to cancel bail conditions in the event of crimes of violence to ensure there is still a balance of justice? As justice delayed is supposed to be justice denied, could he also instruct the judiciary to speed up trials? Perhaps that same directive could go out to the legal profession across this province.

Hon. Mr. McMurtry: I think the honourable member is aware that I do not issue directives to any members of the judiciary. In this respect, my directives would go to the crown attorneys with respect to vigorously opposing bail in the appropriate cases.

I agree with him wholeheartedly in relation to the necessity to expedite trials. I certainly share his concerns with respect to trial delays. I think these trial delays are of particular seriousness in regard to crimes of violence. As the honourable members know, the provisions for bail are set out in the Criminal Code. There is a presumption of innocence which prevails and it places a heavy onus on the crown in relation to seeking a denial of bail, unless the person is already out on another bail.

The member's concern about this matter and about trial delays in general is shared by all members of the Legislature. I will continue to urge my crown attorneys to expedite this matter so that the criminal justice system properly reflects the abhorrence of the public to these very serious crimes of violence.

3:20 p.m.

Mr. Cunningham: Mr. Speaker, with the Attorney General's previous and personal interest in the myriad of other cases, would he take it upon himself, given the severity of the particular case to which his colleague has referred, to personally intercede in this and to do everything in his power to ensure that the provision of bail is rescinded in this situation?

Hon. Mr. McMurtry: Mr. Speaker, I certainly have very much personal interest in the matter, given the circumstances. I have instructed my crown law office to monitor the case very

carefully and I will advise the House of any further developments that I think are relevant.

I would just reiterate that I do share the concern that has been expressed today.

Mr. Renwick: Mr. Speaker, in considering the matter, would the Attorney General consider two things? One, would he table in this Legislature, as soon as possible, both the arguments put by the crown and by the defence counsel at that trial and the remarks of the judge when he granted bail under the conditions which he did grant it, so that the members of the assembly and in particular of the justice committee would be aware of them?

Second, would the Attorney General consider, if the report is true that Mr. Clive Brown is now unavailable, whether rather than simply appealing the matter he would move in that court to revoke the bail?

Hon. Mr. McMurtry: Mr. Speaker, I will certainly make copies of the transcripts available to members of the justice committee and other interested members when the transcripts are available. I am not totally aware of the circumstances surrounding the accused's purported absence from school, contrary to the order of the provincial court judge, but I will review that matter as well. If it is an appropriate case for applying to rescind the bail, as the member for Riverdale has suggested, that will certainly be explored.

Mr. Kennedy: Is it a fact that this man is unavailable?

Mr. Speaker: Order. That was the final supplementary.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. Newman: Mr. Speaker, on behalf of my colleague the member for Wellington South (Mr. Worton), I wish to table a petition which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 47 teachers.

Mr. McKessock: Mr. Speaker, I want to present a petition which is worded similarly to that of my colleague, and signed by a great number of teachers in my riding.

Mr. Eakins: Mr. Speaker, I have a petition which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The petition is signed by 88 teachers representing Queen Victoria Public School, Lindsay; Central Senior Public School, Lindsay; Woodville Elementary School, Woodville; Grandview Public School, Bethany; Parkview Public School, Lindsay; and King Albert Public School, Lindsay.

Mr. Boudria: Mr. Speaker, I have a similar petition signed by 14 teachers of Meadowview Public School in Cumberland, Ontario.

Mr. Rae: Mr. Speaker, I have a petition in my hand signed by teachers at six public schools in Metropolitan Toronto with respect to the Inflation Restraint Act, which, as you will recall, our party alone opposed in the Legislature last year and which was passed with the full support of the members of the Liberal Party in the province.

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

I want to state for the record that we support the petition.

Ms. Coppes: Mr. Speaker, I have a petition from teachers at 11 elementary schools in my riding, representing almost 200 signatures, as follows:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

Mr. Martel: Mr. Speaker, before I present this petition, might I remind you that again today you noticed the great television coverage we had after the two leaders finished their questions. It was nonexistent for the rest of the members of the Legislature. I draw that to your attention.

Mr. Speaker: Is this part of your petition?

Mr. Martel: No. I will get on to the petition, but I just want—

Interjections.

Mr. Martel: Yes, and the press gallery is helping make sure that people know what is going on in this Legislature.

Mr. Speaker, I want to present a petition similar to that of my leader from a number of public schools in my area representing the Sudbury public school women teachers' federation. I will name the schools, if I may, rather than read the whole petition. College Street Public School, Charles McCrea Public School, Westmount Avenue Public School, Ruth Macmillan Centre, Alexander Public School, Algonquin Avenue Public School, C. R. Judd Public School in the great town of Capreol, Markstay, Wahnapiatae and Warren Public School, Pinecrest Public School in Val Caron and finally—I am sorry, I cannot read it; I cannot make out the writing.

I want to present this petition on their behalf and say that we support their endeavours wholeheartedly. I hope everyone else does.

Mr. Allen: Mr. Speaker, I have a petition to the same effect from a number of schools in Hamilton: Earl Kitchener Junior, Bennetto Senior, Hess Street Junior, Holbrook Junior, Seneca Junior, Central Junior, Dr. J. Edgar Davey Junior, Armstrong Junior, Ryerson Senior, Allenby Junior, Dalewood Senior and Sir John

A. Macdonald Secondary School, totalling 198 petitioners, whose petition I support.

Mr. Renwick: Mr. Speaker, I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The petition is signed by nine teachers of The students school in the riding of Riverdale.

Mr. Stokes: Mr. Speaker, I have a similar petition signed by teachers from Green Mantle Public School in Nipigon, Red Rock Public School, Dorion Public School and George O'Neill Public School in Nipigon.

3:30 p.m.

Mr. Renwick: Mr. Speaker, I have a similar petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, signed by 25 teachers of Jones Avenue Adult Education Centre in the riding of Riverdale.

I have a further petition in the same terms addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, signed by 65 teachers of Danforth Technical School in the riding of Riverdale.

I have a further petition in identical terms addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, signed by 43 teachers of Riverdale Collegiate Institute in the riding of Riverdale.

INTRODUCTION OF BILLS

CITY OF ETOBICOKE ACT

Mr. Kolyn moved, seconded by Mr. Pollock, first reading of Bill Pr47, An Act respecting the City of Etobicoke.

Motion agreed to.

HERITAGE WINDSOR ACT

Mr. Newman moved, seconded by Mr. Wrye,

first reading of Bill Pr13, An Act to incorporate Heritage Windsor.

Motion agreed to.

ORDERS OF THE DAY

CONSTITUTION AMENDMENT PROCLAMATION (continued)

Resuming the adjourned debate on government motion 10: Rights and freedoms of the first inhabitants of Canada, the aboriginal peoples.

Hon. Mr. Sterling: Mr. Speaker, I am honoured today to be able to speak to the Legislature in support of the resolution proposed to amend the Constitution of Canada with respect to aboriginal and treaty rights of Canada's aboriginal peoples.

Before I do, I would like to speak, for the information of the members of the Legislature, of the passing of Richard Pine. Senator Pine, as he was more commonly known, was from the Garden River Indian Reserve near Sault Ste. Marie.

Senator Pine was the great grandson of Chief Chinguacousy who signed the Robinson Huron treaty in 1850. He was actively involved in the field of Indian affairs for all of his life. He was once chief of the Garden River Indian reserve, and he was a well respected elder to the Ontario Indian Regional Liaison Council, the chiefs of Ontario and the Union of Ontario Indians. I know that all members of the Legislature would express their condolences to Senator Pine's wife, Mrs. Norma Pine, and his children and family.

As I indicated before, it is with great pleasure that I enter into this debate and support, as all the previous members have indicated, the resolution before us.

I believe our province can be proud that our government has been in the forefront in supporting constitutional recognition of aboriginal rights. Ontario supported the inclusion of aboriginal rights in the constitutional agenda back in 1979. Our Premier (Mr. Davis) and several ministers actively participated in all preparations for the 1983 conference on aboriginal and treaty rights.

During the conference, Ontario worked closely with native leaders and our provincial colleagues to achieve the accord which has resulted in the resolution before us today. With the adoption of this resolution, we begin the process of clarifying the nature and extent of aboriginal and treaty rights in Canada.

The adoption of the proposed constitutional

amendment will guarantee that aboriginal and treaty rights will apply equally to aboriginal men and women. The amendment will guarantee that future land claim settlements reached with aboriginal people will enjoy the same protection within the Constitution as existing treaties.

The task faced by the provinces, the federal government and the aboriginal people, required by section 37 of the Constitution, to identify and define the rights of aboriginal peoples in a constitutional conference, is indeed not a very easy one. The result, which we are today considering in the proposed resolution, is but the beginning of a very long process.

In attempting to identify and define aboriginal and treaty rights, numerous legal questions and complex issues arise. However, Ontario has demonstrated in the past and will continue to demonstrate a commitment in ensuring that their special rights are recognized and protected.

The province remains committed to work co-operatively with native leaders to identify just and practical definitions of their rights which will confirm their special relationship with Canadian society.

In preparing for the 1983 first ministers' conference, the province arranged numerous meetings in 1982 and early in 1983 between Ontario officials and staff of the Ontario Native Women's Association, the Ontario Métis Association and the registered Indian organizations in the province.

On two occasions, meetings were held directly between the Premier and several ministers with leaders of the Ontario native organizations to discuss the proposed agenda for the conference and to consider the issues of greatest priority to the native people in our province.

The Ontario native organizations were invited to send their representatives with the Ontario delegation to each of the national preparatory meetings so that the province could consult directly with Ontario native representatives on the issues under consideration.

A total of some \$200,000 was provided by the Provincial Secretary for Resources Development to the Ontario native organizations for research and their costs in attending preparatory meetings as well as the first ministers' conference. Of that amount, the four Ontario status Indian organizations received a total of \$120,000, the Ontario Métis Association received \$50,000 and the Ontario Native Women's Association received \$30,000.

I might note that other ministries have also

made contributions to this and the other constitutional conferences that are coming up.

Ontario took an active role in developing the conference agenda. Two items of particular interest to the province were tabled for consideration. The first was the question of services for aboriginal people. A second item proposed by Ontario was the equality issue; that is, a guarantee that the rights of aboriginal men and women will apply equally.

It is clear from the accord that these issues were considered quite important. In fact, all parties agreed on a proposed amendment to the Constitution which guarantees that aboriginal and treaty rights identified in the Constitution will apply equally to aboriginal women and men. Ontario's support for this position was influenced by the strong position articulated by representatives of the Ontario Native Women's Association in various preliminary meetings with us.

3:40 p.m.

In keeping with the accord reached at the 1983 conference, the province is already preparing for direct participation in the 1984 first ministers' conference to consider the agenda items not yet fully discussed. Arrangements have been made for the support and involvement of Ontario native people in the preparations for and attendance at the conference early in 1984.

I would like now to return briefly to the first point of services for aboriginal people. As a government we must strive to identify practical solutions, as well as support resolutions such as we have before us today. Towards this end, I would like to review briefly for the members a number of provincial structures and programs which encourage the development of economic and social solutions to many problems faced by native people in urban and isolated areas.

During the mid-1970s the province established a joint steering committee on native affairs in which the minister responsible for native affairs would invite his colleagues to join him in a meeting with native leaders to discuss issues of particular concern to those organizations. More recently, the cabinet committee on native affairs, which I chair in my capacity as Provincial Secretary for Resources Development, was established to review all policy initiatives which may have an impact on our native people. In addition, the committee also provides a forum for delegations that may wish to present their submissions directly to cabinet members on a variety of issues.

In 1978 the province entered into a formal

tripartite process with the federal government and registered Indians of Ontario. This process is unique to Ontario and exists to assist the parties in addressing issues of major and common concern. In order to facilitate the often sensitive and complex discussions, the parties appointed Mr. Justice Patrick Hartt head of the Indian Commission of Ontario, a position he still holds.

The registered Indians are represented in the tripartite process by leaders of Grand Council Treaty 3, Grand Council Treaty 9, the Union of Ontario Indians and the Association of Iroquois and Allied Indians. The Minister of Indian Affairs and Northern Development represents the federal government.

As the minister responsible for native affairs in our province, I represent the province, assisted by the relevant line ministers, in discussions. Negotiations are conducted on an issue-by-issue basis. Examples of the issues that have been considered within the tripartite forum include policing on reserves and Indian fishing rights in Ontario.

Under the Ontario Indian policing agreement the Indian band constable program has been in operation on many reserves since the mid-1970s. In 1981 the agreement was renegotiated in the tripartite forum. This provided an opportunity for direct Indian input under the terms of the agreement and ensured a better understanding of the needs of Indian people with respect to policing services on reserves.

Under the auspices of the tripartite council, in 1982 an Ontario Indian fishing agreement was proposed, which provides for the recognition of special Indian rights to fish, as well as a mechanism for Indians to become involved in the management of the fishery resources in our province.

On December 17, 1982, the Minister of Natural Resources (Mr. Pope), negotiator for our province, and the Provincial Secretary for Resources Development signed the proposed fishing agreement, along with the leaders of the four Ontario status Indian associations and the chief of the Six Nations of the Grand River Indian reserve. Ratification and implementation of the proposed agreement is awaiting signing by the government of Canada.

Also, within the Ontario tripartite process, the parties have established a unique land claims resolution process to identify and address Indian land claims. Through this mechanism parties may seek settlements without resorting to costly court action. Such a process is not

available in other provinces where native land claims must be negotiated through a federal land claims office or directly with the province, generally through litigation in the courts.

Another important structure that exists in our province and is unique to our province at this time is the Ontario Native Council on Justice. This council is made up of representatives of all the major Ontario native associations, including the four status Indian associations, the Association of Metis and Non-Status Indians, the Native Women's Association of Canada, the Native Law Students Association and the Ontario Federation of Indian Friendship Centres. I believe it is unique in having all those groups under one umbrella.

In 1975 the federal-provincial ministers' conference on native people in conflict with the law recommended that such a council be established in every province. However, it is my understanding, as indicated before, that only in Ontario has this council been continued. This organization is well supported and utilized by the province to improve current justice programs which are particularly relevant to native people. Liaison with the council is maintained through the Provincial Secretariat for Justice which receives an annual report from the council and meets with its members regularly to discuss potential government support for projects and initiatives.

Most recently, the council has been given formal approval and funding to carry out a special project in relation to the implementation of the Young Offenders Act. Through this project the council will focus on the development of community alternatives for delinquent native youths.

Another viable option offered by the Ontario Native Council on Justice has been the development of a wilderness camp for native offenders from Kenora and other areas in northwestern Ontario. The council, which developed this concept at my request as former Provincial Secretary for Justice, in conjunction with the Attorney General (Mr. McMurtry), offers an alternative to incarceration for those native persons who have come into conflict with the law. I might note at this time the tremendous contribution of Stan Jolly who is director of the Ontario Native Council on Justice but is leaving that position at the end of November.

I would like now to turn my focus to the native community branch in the Ministry of Citizenship and Culture. The branch is a consultative agency which works with native commu-

nities and organizations to assist them in their efforts to encourage native self-reliance and participation in all relevant provincial programs.

The branch works directly with bands, Metis groups, native women's locals, native provincial organizations and friendship centres. Staff in the branch assist native communities in identifying local concerns, securing resources and developing projects. By linking native communities with appropriate provincial ministries and agencies, the native community branch facilitates and obtains the services of specialists required for a particular initiative.

In addition, the branch assists native leaders in the preparation and submission of proposals to government and advises them how to evaluate new and existing projects. In this regard, financial assistance is provided to cover basic administrative costs.

In order to encourage small business development, the branch provides financial support to native organizations and communities in the development of viable business enterprises. Grants are also available for native-initiated media projects ranging from radio and television to printed and visual materials. Such projects support community and leadership development through improved communication within the native community and through general public education. Grants are also provided for projects of an innovative nature that support community leadership development and cultural activities directed towards heritage preservation and intercultural understanding.

I have given only a brief overview of the variety of structures and programs that have been initiated by this government. However, I believe they are indicative of our commitment to achieving practical goals rather than just abstract ideals. For no matter how noble our efforts may be, if they do not increase native participation in our society, then I question those initiatives' true value.

3:50 p.m.

I hope the resolution before the House exemplifies our commitment in ensuring that the special rights of our aboriginal people are recognized and protected throughout Canada. Through the support of this resolution, the province will continue in its efforts to address the special problems of our native people in Ontario. However, it is not enough for us as legislators simply to talk about a commitment to native rights; we must actively use the resources available to us, the resources which will con-

tribute to their future and wellbeing in this province and throughout Canada.

The Deputy Speaker: We thank the member for his remarks. A point of privilege?

Mr. Wildman: Mr. Speaker, with the indulgence of the House, I would like to associate myself with the comments of the Provincial Secretary for Resources Development with regard to the passing of a great constituent of mine, Mr. Richard Pine, whose memory will be long held in great esteem not only by the people of the Garden River band of Ojibways and the Indian people of this province, but also by the other members of my constituency who knew him and remember him well. He was a man of great integrity, great humour and great energy and one who spoke very well for his people throughout this province and this country. We all mourn his loss.

Mr. Renwick: Mr. Speaker, I would like to speak somewhat briefly about the resolution which is before the assembly. I have listened during the course of the debate to all of the speeches, with the exception of a small portion of the debate on one evening, which I have since had the opportunity to read.

Much has been said, and it is not my intention to attempt to repeat or to restate what has been so ably put before the assembly by my colleagues the member for Algoma (Mr. Wildman), the member for Lake Nipigon (Mr. Stokes) and the member for Scarborough West (Mr. R. F. Johnston).

I do, however, want to speak to certain matters which are of concern to me. I am constrained to do so because the Provincial Secretary for Resources Development (Mr. Sterling), who is obviously just about to leave the chamber, has used the kind of rhetoric which can only be characterized as an apologia for the government of this province in trying to reconcile and convince this assembly that the government has a commitment to the resolution of native rights and the resolution of native problems when, in fact, the record will not support any such statement.

You can recognize, sir, that I would perhaps speak with a degree of scepticism as to whether or not we are engaged in establishing a ritual of discussion, which may well not achieve the results many of us want to achieve, simply by providing within the Constitution for certain ongoing discussions to take place and, when they do, hoping they will have resolved through discussion some of the very basic and serious

concerns of the aboriginal peoples in the country, and in particular, from our point of view, in Ontario.

It all boils down and comes to a very simple question which numerous speakers have spoken to, to indicate yes, it is existing; no, it is not existing; or yes, it will exist. When I speak of what is existing or will exist or is existing at the present time, I am speaking simply about something called commitment. That is the quandary of every thinking member of the assembly, even if he is constrained to speak on behalf of the government or speak on behalf of the opposition in this vexed question of what can be done to ensure the role, the place, the status and the position of the aboriginal peoples in the life of Ontario. It is one to which in a very real sense we have to rededicate ourselves to or, in many instances, dedicate ourselves in the first instance.

Everyone understands that, regardless of the glib talk, the native peoples with few exceptions in Ontario are economically and geographically marginal to the life of the province. It is because of the activities of the leadership of the native peoples themselves that we are at the point where they have raised significant political pressure, which has required a recognition in its initial stages of the kind of constitutional concerns which are embodied in the resolution before us now.

To my way of thinking, the question of commitment has never been better stated than it was by the Honourable Thomas Berger, now a professor at the law school in British Columbia but formerly a judge of the Supreme Court of Canada and of the Court of Appeal in British Columbia, in his longstanding interest as royal commissioner with respect to the pipeline in northern Canada and, further back than that, on the question of the time when he represented as counsel the Niska Indians in the case which went to the Supreme Court of Canada and is a classic statement of a recognition of the principles involved in aboriginal land rights.

I refer to Thomas Berger because he does represent a man of commitment. It may be useful for this assembly to have regard to his remarks in his book, *Fragile Freedoms: Human Rights and Dissent in Canada*, which was published not so long ago, in 1981, where he says, at page 219:

"Aboriginal rights are the axis upon which our relations with the native people revolve. To recognize aboriginal rights is to understand the truth of our own history, while for the native peoples such recognition is the means by which

they may achieve a distinct and contemporary place in Canadian life."

That is what this resolution must reflect in the commitment of this assembly voting, as we will be, unanimously to approve this amendment to the Constitution of the country in order that we can get on with the business of providing that kind of dignity to the native peoples in this province, as well as in the country as a whole, which they have so long deserved and which has been for so long neglected.

I am always interested in what my friend the Attorney General (Mr. McMurtry) has to say about constitutional matters. He was good enough to send me an extract from the *Queen's Law Journal* which contained his contribution to that journal in the spring and summer issue of this year, *The Search for a Constitutional Accord—A Personal Memoir*.

The Attorney General had this to say about the question of aboriginal rights just prior to the first ministers' conference. He was stating the kind of commitment which is required and the obstacles to that commitment which exist in Canada. While on occasion I like to be in total opposition to the Attorney General on many issues, I find myself constrained to recognize the validity of the kind of problem he places before the readership of that esteemed journal when he speaks about this problem.

4 p.m.

I quote from that journal: "The major challenge is once again for governments to demonstrate the political will to resolve what are admittedly very complex political and legal problems." He goes on to comment, of course, that this will be no easy task and makes a further remark about this matter:

"An important challenge, therefore, will be for political bodies to heighten the level of awareness of constitutional issues generally and of the host of issues concerning native peoples. The public must be convinced as to the legitimacy of most of the issues if the politicians are going to be persuaded to dedicate themselves to the task."

"At the same time"—and I skip again—"the native leaders must be assured that there is a real commitment to get on with the task. Most of the native leaders do appreciate that the process could well be prolonged."

That again emphasizes the fundamental question we are concerned with, and that is the question of commitment: commitment by this assembly, commitment by the government of the province, and commitment by other leaders

in the country to the process that has been commenced after many hesitations and stops and starts over many years, commitment to establishing the right, at the constitutional bargaining table, of the native peoples to participate in those discussions. It is tentative. It is early. We can only say and hope that in one way or another it will be a successful process.

I recognize it is easy for us to say they are very complex and difficult problems and to use that as an excuse for not making progress, when an analysis of each of the problems that are outstanding between the native peoples and the government of this province will show that goodwill could, can and should solve those questions.

Some members of the assembly may be aware that I have had an interest over a period of time in the kinds of problems which this government has failed to deal with. More than a year ago, in June 1982, I placed on the order paper an inquiry of the minister, "Will the ministry table as soon as possible a comprehensive list of all issues known to the government outstanding between the native peoples in Ontario and the government?"

I received in due course the answer to that inquiry. The preamble to the answer before they listed the outstanding issues is extremely important, I think, because it indicates that they are speaking about important issues which have been outstanding in many cases for many years.

The response to my inquiry is as follows: "For the purpose of this response, native people are defined as status Indians, nonstatus Indians and Métis. Outstanding issues are defined as major matters of debate or controversy requiring resolution.

"Based on these definitions, the following is a comprehensive list of all issues known to the government which are outstanding between native peoples in Ontario and the government:

"1. The Attorney General versus Bear Island Foundation and Temagami Band of Indians.

"2. Skerryvore Ratepayers Association versus Shawanaga Band of Indians and the Attorney General of Ontario.

"3. Eagle Lake Band of Indians versus Her Majesty the Queen in the Right of Ontario.

"4. Cheechoo versus Her Majesty the Queen in Right of Ontario.

"5. Maracle versus Her Majesty the Queen in Right of Ontario.

"6. Interpretation of provincial obligations related to those sections of the Constitution Act 1982 which relate to the rights of native people.

"7. Requests by native people that the province should substantially increase its commitment to the funding of native economic development.

"8. Requests by the Ontario Métis and Non-status Indian Association that the Ministry of Citizenship and Culture provide an ongoing funding for the administration of OMNSIA's head office and zone offices.

"9. Requests by native associations that the grants program of the native community branch, Ministry of Citizenship and Culture, be expanded.

"10. Completion of and government response to the final research report of the task force on native people in the urban setting.

"11. Requests by Indian associations that Indian people control the planning and delivery of social services to status Indians.

"12. Renegotiation of the Canada-Ontario Indian welfare agreement.

"13. Requests by Indian bands that band welfare recipients be required to perform work as a condition of receiving assistance.

"14. Requests by Indian associations that affirmative action staffing programs for native people be established within the Ministry of Community and Social Services and its agencies.

"15. Requests by native associations that the province establish and fund native specific social services off-reserve.

"16. Requests by Indian people that Indian burial grounds be protected through amendments to the Cemeteries Act.

"17. Allegations by Indian bands and associations that they have not had adequate input into the 1981-82 provincial review on native education and into the secondary education review project.

"18. Requests by native associations and Indian bands that the province develop a position on the status and function of native languages in publicly supported schools in Ontario.

"19. Requests by Indian bands that the province relate more closely to the policy of the government of Canada that Indian bands should have greater responsibility for and control over education services.

"20. The feasibility or necessity of removing mercury-contaminated sediments from the Wabigoon River or covering contaminated sediments in Clay Lake with uncontaminated clay in order to reduce mercury contamination to the fisheries in that watershed.

"21. Renegotiation of the 1924 Indian lands agreement.

"22. Resolution of a number of Indian land claims.

"23. Negotiation of disposition of unsold surrendered Indian reserve lands.

"24. Transfer of provincial crown land for northern Indian communities.

"25. Negotiations under the extended February 10, 1982, memorandum of understanding regarding amendments to the Ontario fishery regulations.

"26. Indian rights to harvest wild rice.

"27. Requests for provincial assistance for housing development on Moose Factory Island.

"28. Employment of native peoples at provincially funded developments such as Minaki Lodge.

"29. Improvement of transportation services to isolated communities in the far north, including the need for increased winter road construction and the location of future remote airports.

"30. Renewal of the Canada-Ontario Indian policing agreement.

"31. Formation of the Ontario Indian police commission.

"32. Requests for Indian reserves for increased staffing from the Indian policing program.

"33. Requests by native communities for special treatment with respect to provincial cost-sharing of capital projects.

"34. A request by provincial native associations that the province core-fund justice co-ordinators.

"35. Resolution of a number of situations involving provincial highway improvements and Indian reserve road improvements.

"36. Completion of the Islington and Grassy Narrows Indian bands mediation process.

"37. Negotiation with the government of Canada and the status Indian people of respective federal-provincial responsibilities with respect to the delivery and cost of services to status Indians.

"38. Revisions to the Ontario-Canada status Indian tripartite process and the mandate of the Indian Commission of Ontario.

"39. Requests by the advisory council on multiculturalism and citizenship that the province develop a corporate native affairs policy to assist the government to address native policy issues.

"40. Completion of and government response to the final report of the joint working group on native drug and alcohol abuse."

4:10 p.m.

Suffice it to say that since I received that list, I have been in communication by letter with each

of the ministries, so far as I could ascertain the responsible ministries, to try to get a response about each one of those particular areas that, in the words of the government itself, are defined as major matters of debate or controversy requiring resolution.

There will be an appropriate occasion for me to follow up on each of those headings from time to time, and this is not a time to recite each of the responses of the government to the inquiries I have made in connection with those matters.

It is sufficient to say that I and my colleagues have been trying to keep our friends within the native peoples' associations aware of what we are doing and to exchange with them the kind of information that will enable us to do what we can to urge the government to provide the kind of necessary will and commitment so that, by the time at least that the second of the proposed first ministers' conferences takes place, we will be able in this assembly to say: "So far as the affairs of this province in relation to native peoples are concerned, we are making substantial progress. The commitment exists, some solutions have been found and orderly processes are being developed to resolve all of the other outstanding issues."

That is wishful thinking, I believe, on my part. But I can say that if we simply substitute the ritual of constitutional discussion for the kinds of tangible results that are required for the native peoples in Ontario, then we will have been in serious default.

Everyone in this chamber need not listen to me to see that whether one looks in the field of economic activity, in the field of unemployment, in the field of education, in the field of health, in the field of social services or in the various justice fields, there is no one in this assembly who can say that the native peoples are not significantly and substantially disadvantaged and that when this resolution is passed by this assembly, life tomorrow will not be any different or any better for members of the native community of whatever age or whatever sex as a result of the dissertations that we exchange across the floor of this assembly.

So we do have the immediate challenge, and I would hope that we would brush aside all the obstacles and all the concerns that the Attorney General expressed in that portion of his article in the *Queen's Law Journal* about the problems of getting on with this kind of embodiment of recognition of what the rights of people are in the province.

I, with what little knowledge I have on these topics in relation to legal matters, am basically and fundamentally indebted to a book that was published some 12 or 13 years ago, *Native Rights in Canada*. I happen to have the second edition; I do not believe there has been a subsequent edition of it. It is edited by Peter Cumming and Neil Mickenberg. This book is, I believe, the first comprehensive statement of the kinds of problems that confront the country and the native peoples and that need the political, legal and constitutional resolution to which this resolution is addressed.

There is no need for me to repeat what others can read about the nature of the rights that are recognized in the dissertation and the historic background and the academic information to which the Attorney General alluded in the *Queen's Law Journal*, about the need for that kind of academic research, historical, archaeological, demographic—of all kinds; to provide the kind of basis upon which we can illustrate our concern and interest in reconstructing, in a very real sense, the valid history of the native peoples in Ontario and throughout Canada.

I am sorely indebted, as I am sure the Attorney General is on many occasions, to the scholarly work of Brian Slattery, who is also a contributor to this *Queen's Law Journal* compendium on constitutional matters, which was issued in honour of W.R. Lederman, who was a distinguished scholar in matters constitutional and legal.

I am also indebted to a student at the college of law in the University of Saskatchewan, Jocelyn Gagne, who in the *Saskatchewan Law Review*, 1982-83, volume 147, number 2, had a very fine article about the content of aboriginal title at common law when she looked again at the Niska claim. The Niska claim is in British Columbia, but the principles that were involved in the Niska case, commonly known as the Calder case, permeate a great many of the land claim questions that will have to be dealt with throughout Canada, particularly in western Canada, in the Northwest Territories and in the Yukon, as distinct from Ontario.

Let me very briefly speak to another aspect of the question.

We will have had, quite properly, attention directed to the field of land claims of the native people. Those land claims, as they exist at present, are very important to their protagonists. It may very well be, however, that when we relate to the economic and social wellbeing of the native peoples in Ontario, we should not

allow ourselves to be diverted to the question of land claims in the same way that land claims are being asserted in western Canada where different questions come under concern.

To be very clear, we need not in this assembly devote a great deal of our time, apart from understanding the kinds of questions that are being raised, to the question of the resolution of the land claims. Those land claims ultimately, in my view, are going to have to be decided in the courts. I know my friends the Provincial Secretary for Resources Development and the Attorney General have a somewhat different view. They want to treat each land claim as a matter of negotiation and settlement by way of financial compensation.

I happen to believe there are sufficient outstanding land claims in Ontario that must be decided, first of all, by the courts, to determine and clarify and elucidate the nature and extent of the claims before them, before the discussions go on about compensation. It is my impression, and my impression only, that, for example, the case that is before the court in Ontario now concerning the Temagami band claim—to which I referred in the list and which has been going on now for a sufficiently long time that it has gone through the tenure of office of three Deputy Attorneys General—is now in, as I understand it, the 60th or 65th day of court hearings.

4:20 p.m.

The issues involved in that case should be decided in the first instance in the court and resolved in the court before compensation discussions take place. To negotiate for compensation and try to persuade the Temagami band at this point that it would be better off to accept a money compensation award and an out-of-court settlement is to my mind to do a disservice to the kind of process in which we are engaged in trying to establish the area, extent and limits of aboriginal rights with respect to land.

I do not think this assembly can deal with those matters. I think we must be aware there is a legitimate aboriginal title, or as it is sometimes colloquially referred to, "Indian title," which was not affected except to be recognized and established by the royal proclamation in 1763. The question of whether or not there has been a relinquishment of that title and the extent and degree of the relinquishment, are matters of jurisprudence in a field which can be dealt with only in the court. It does not mean we cannot understand what the principles are that are involved in connection with those land claims.

I do not think the process the Provincial Secretary for Resources Development alluded to is the way in which one should deal with those questions. I think the matters in the first instance are matters where the court, having done the work which has been done at various levels throughout the country, has now brought home to the people of Canada, and indeed to the judges in the courts themselves, that there does exist aboriginal right and title with respect to land, which is supportable at common law, which is supportable in many of the claims which are put before us in the courts and which ultimately will be resolved in the courts.

I think there are two or three matters directly touching upon this resolution before us to which we must pay attention. One of the matters of concern to me is the appearance in that resolution of the word which was inserted at the time of the constitutional agreement in Ottawa when the native rights clause was reinserted in the proposed charter after having been stricken from the charter, and that is the word "existing."

No matter how one uses it, that word is and must be seen to be a word of limitation. It is not sufficient for those who assert that it should be in the Constitution to say it makes no difference whether it is in or out of the Constitution. "Existing" poses immediately for the court, as opposed to strict statutory interpretation, the question: does the Constitution refer to a particular time and does the date in April 1983, when the Constitution Act came into force, freeze the time at which one must determine whether there are existing aboriginal rights?

That is a difficult question in normal, ordinary, everyday, constitutional, statutory interpretation. It would of itself be a document which, as my friend the Minister of Intergovernmental Affairs (Mr. Wells) and the member for Sudbury (Mr. Gordon) said the other night, in this living document would mean "existing from time to time." I am concerned that if we leave the word "existing" in the charter we will only add to the kind of confusion we are trying to dispel in bringing to the surface and recognizing the rights of native peoples by entrenching them within the Constitution of the country.

It is not just an esoteric legal argument about meaning; it is a substantial question. I do not think anyone can argue that the insertion of the word "existing" will in some way revive Indian aboriginal rights that have been lawfully extinguished. That is not the problem. The problem simply is that the Constitution of the country must speak in an ongoing sense and we must be

prepared to recognize from time to time the rights as they exist at ongoing points in time.

I am also concerned, for example, that the word "existing" may in some way be interpreted as meaning "being known or recognized," when we all know that in the world of legal scholarship, until the questions came before the court with respect to aboriginal rights and title there was little, if any, jurisprudence about whether they existed. There are some who have such little faith in the judicial process that they begin to think perhaps they create these rights out of whole cloth, out of their own heads, and call in aid some kind of history that they resurrect in order to give substance to them.

The existence in the Constitution of the word "existing" may very well complicate the judicial problems that will be very significant regardless of what is agreed upon. I am also concerned that any judge or any court would say that the Constitution of the country with the word "existing" qualifying aboriginal rights means that the Constitution of the country has precluded the judges from exercising the kind of jurisprudential skills they are called upon to issue in resolving cases that come before them.

I do not think anybody in particular can answer all those vexed questions. All I can say is I would feel much better if the government would make some commitment to ensure that particular word could be part of the Ontario case for deletion. In any event, Mr. Brian Slattery in his article in the *Queen's Law Journal*, after going into a dissertation in a very reserved way and with all qualifications but a great deal of scholarship, did have this to say about land claims:

"To sum up"—and these are his words appearing at page 254 of the *Queen's Law Journal*—"the evidence considered above appears to support a number of general propositions.

"First, in so far as there remained any doubts regarding the soundness of the doctrine of aboriginal title in Canadian law or the validity of Indian treaties as a class, those doubts are now dissipated. It can no longer be questioned in the face of Section 35"—which is one of the sections we are dealing with by way of amendment in this resolution before us—"that aboriginal land rights and treaty rights are legal entities and not mere political or moral rights or claims on the Crown's favour.

"Second, to the extent that aboriginal land rights or treaty rights were precarious rights revocable at the crown's pleasure, they are now indefeasible. The confirmation of those rights in

section 35 operates as effectually as a grant or quit claim from the government.

"Third, where procedural barriers existed to the assertion of aboriginal or treaty rights, those obstacles are now removed. The rights conferred in section 35 are not merely theoretical but fully capable of assertion and enforcement in the courts. In other words, the provisions of the section are self-executing."

4:30 p.m.

The actual resolution which is before us is one of importance because it represents an amendment to the Constitution to include a matter of prime importance for the country, not as a matter of constitutional law but as a question of basic and fundamental justice.

The proposals in the Constitution need little, if any, elaboration on my part when read in conjunction with the appropriate sections of the Constitution. Perhaps certain distinctions are worth making. It is my view, for what it is worth, that the proposed amendment to section 35 of the Constitution Act, which would add the following clause, "Notwithstanding any other provisions of this act, the aboriginal and treaty rights referred in subsection 1 are guaranteed equally to male and female persons," when read in conjunction with section 25 and section 15 of the Constitution Act, when that section of the act is proclaimed, would provide an answer I believe for all time about the question of equality between the male and female persons so far as aboriginal and treaty rights are concerned.

I do not think there could possibly be a contrary legal argument made about the effectiveness of the various provisions of the statute, of the Constitution of the country, designed to provide equality of treatment between male and female persons whether they are native peoples or otherwise. In 1985, section 15 will come into force and at that time I do not think there is any way in which a contrary argument can be made which would deny equality to male and female persons in Canada.

I certainly do not have any comment to make about the limitation which has been agreed between the government of Canada and the provincial governments with the native peoples. When this act is passed, any amendment to that head of power in the Constitution Act known as class 24 of section 91, conferring power on the federal government to make laws in relation to Indians and lands reserved to Indians, that section will not be amended until there has been at any given time a Constitutional conference that includes in its agenda an item relating to the

proposed amendment, composed of the Prime Minister of Canada and the first ministers of the provinces. It will be convened by the Prime Minister of Canada and the Prime Minister of Canada will invite representatives of the aboriginal peoples of Canada to participate in the discussions on that item.

I know that has been of concern to the native peoples and they were anxious to have the provision that would require their consent. I am reluctant to say so, but I do believe the solution that has been reached is about the only solution which could be reached under the circumstances. That is a conclusion which I think would be greeted with considerable scepticism by the leadership of the native people.

I think the history of dealing with the governments in this country gives them no reason to believe their rights cannot be taken away in some way or other. It is very interesting that on the one hand we were always certain about what we got from the Indian peoples under the various treaties that were entered into with them, but there were very real questions about what we had agreed to give in return for what we got. Of course, this has concerned the native peoples very deeply when they consider that the Parliament of Canada was able to legislate to affect what to the Indian peoples were sacrosanct treaty rights that they had received in return for the surrender of, in many cases, their fundamental rights to the land in the province.

As I say, I am constrained to agree that the solution which has been reached is one where I hope the good faith and the commitment about which I spoke at the outset will, as the years go on, reinforce the view that the native peoples can safely accept this proposal for discussion and participation in any proposals to amend the power conferred on the government of Canada in clause 24 of section 91 of the Constitution Act of Canada.

I regret that the government of Ontario—and I do give it credit for it—was unable to obtain the agreement of its colleagues at the other levels of government to the insertion in this amendment of certain principles that would guide the ongoing discussions that are to take place at the two conferences to be held when this constitutional amendment is passed. I think the principles as they were stated by the Minister of Intergovernmental Affairs could well have been accepted and would have provided, as the Attorney General said in his article, some light on the path, some guideline under which the process would take place.

I suppose, therefore, that my principal concerns now are the extent and degree to which the other rights—that is, the other rights and freedoms apart from land claims and apart from the kinds of questions with which we are all familiar—can be brought to a fruitful conclusion as a result of these discussions relating to self-government, culture, religion and the family life of the native peoples. Those are the questions that in the long run will determine whether or not the commitment we have is a valid commitment.

The recitation I made of the list of outstanding issues, which the government candidly provided to me, would indicate that in those particular areas there are serious provincial problems that must now be addressed and there are serious problems that, of course, may very well prove intractable in relation to self-government and a number of other areas when the constitutional discussions take place: the recognition—and I trust there is a recognition—that the Indian communities in 1763, or whatever historical date one wants to take in relation to what is now Upper Canada, did occupy, in a substantial and significant sense of the term, these lands; that they did have their own self-governing institutions and communities; that they did have their own religion, culture, language and all of the things that go to recognize that particular kind of solid, well-established society.

I note with considerable interest that two or three issues ago in the Ontario Historical Review there was a further indication that in the pre-Huron communities in what is now Ontario, Upper Canada, long before the Huron Indians occupied this particular area, which was the initial contact, there is now significant archaeological evidence that there was a long-established civilization in this part of the world.

4:40 p.m.

I know those are matters that archaeology and studies will confirm or deny over a period of time, but there is a very real indication we were not simply talking, as perhaps we learnt at school, of the Indian life in this province as a kind of nomadic existence with only tentative and limited connection with the land in the sense of settlement, community, government, religion, language, customs and all of the things which go to make up the complex world we have come to know as culture.

It is in those areas I expect this government to take the leadership. The imaginative leadership which would permit in a federal state a recogni-

tion of self-governing institutions for aboriginal peoples would be, in my little knowledge of what goes on in the world, a sign that this government and this province are committed to the dignity of all peoples who comprise the society.

It is interesting that after many years of the existence of the Ontario Advisory Council on Multiculturalism and Citizenship it is now taking into account some of the questions which concern the aboriginal peoples and is making recommendations in connection with it.

I know the Attorney General is aware of it because, again, in his comments in his article he refers to the kinds of issues to which attention has to be devoted. He writes: "The issues of the identity and the definition of aboriginal rights, native self-governing structures, native consent to future constitutional amendments, participation in resource development, the protection and enhancement of native languages and culture are, of course, all incredibly complex issues. They will be resolved only in a process that includes a real commitment on the part of the government."

He goes on to speak of the other necessary adjuncts to that kind of commitment.

One of the other items I want to refer to is the excellent reports that were issued by the select committee of the House of Commons in Ottawa headed, *Obstacles Dealing with the Rights of Disabled People*. In those recommendations there are a large number of recommendations related to the native peoples. They apply equally well in Ontario, as they do in other parts of Canada, to the extent and degree of the disadvantages suffered by native peoples who are disabled persons. I urge the government to deal with that aspect as a specific part of the kinds of concerns where they have a contribution which has to be made urgently and immediately.

I had hoped the new Minister of Citizenship and Culture (Ms. Fish) would have participated in this debate because, representing as I do an inner-city riding in the city of Toronto, let alone in Metropolitan Toronto, I have tried over a period of two or three years to get the study which was prepared in 1981 about native peoples in an urban setting as a result of considerable work before that time.

I wrote regularly and consistently to the deputy minister of the ministry involved in order to get it. Finally, on March 23, 1983, I was able to extract a copy of the report, which is a comprehensive one. It is a report which deals specifically with the problems native peoples

encounter in urban settings, whether in the large centres or in somewhat smaller centres. The response is very slow.

I am not certain where I heard it, but I was told that some moneys have been allotted to the second stage—what I think is called the second era of that report—to get on now with the implementation of the recommendations and further studies that must be made in that area. These are matters of very urgent concern, but certainly, there is the sense that it does not have the kind of priority which would illustrate the commitment of the government to what is a continuing problem for those native peoples who choose to come to an urban setting in order to try to become a part of the life of the province within that setting.

Our basic fundamental view of the aboriginal peoples in this province must be to provide them with maximum freedom of choice, let alone the elementary necessity to make those choices, as to whether they will pursue their own culture, their own lives, their own world, as near to the traditional way they have in the past, or whether they will be free to choose the extent and degree of their adhesion to that culture as they try to make their way within the urban centres in the province.

Nobody will deny that one can find any number of studies. There are many, many studies, and there is an Indian commission. I had asked my colleague because I had noted that the order in council expired on, I think, October 8, and I understand that it is now intended—if the order in council has not already been passed—to extend the life of the Indian commission under Mr. Justice Patrick Hartt for another two years, to provide some kind of co-ordination for the kinds of problems with which we are involved.

There is any amount of study. There is any amount of concern. The speeches made by my colleagues the member for Lake Nipigon (Mr. Stokes), the member for Algoma (Mr. Wildman) and the member for Scarborough West (Mr. R. F. Johnston) illustrate the profound concern in this party, which I hope we share with the members of each of the other parties, about getting on with the orderly, humane, equitable decisions related to the native peoples in the province.

My last word relates to land claims. We are going to find in this province as a constitutional law matter that Treaty 9, and I speak in particular of Treaty 9—though it may have some application as well to the Robinson-Huron

treaty, the Robinson-Superior treaty, to Treaty 3, to some of the multitude of treaties or deeds to land which were negotiated in the southern part of the province, going back to as early as 1764, I believe, the first negotiation of land claimed by white people as against the aboriginal peoples.

There may very well be the point at which it is going to be said by the courts that in Treaty 9, and perhaps in these other treaties, the native peoples have extinguished substantially, if not totally, their claims. Then, as a constitutional legal matter, we will have the real test of the quality of our commitment because, I say to anyone who reads Treaty 9—I have not read the other treaties with the same things in mind, but I understand that the Robinson-Huron Treaty and the Robinson-Superior Treaty were sort of the prototypes that ultimately became in other parts of Canada the numbered treaties—we are going to be faced with the fundamental question, not as a matter of law but as a matter of equity, are we prepared to renegotiate the unconscionable terms under which this province received the immense tract of land, the great bulk of which we now call northern Ontario? That problem will not be resolved by the amendment to the Constitution. That problem, in so far as it relates to the terms of other treaties, will only be resolved by the conscience of the people of Ontario reflected in this assembly.

4:50 p.m.

When a number of these matters have reached the point where we can face up to that issue of the inequity of the unconscionable terms of Treaty 9, regardless of the pattern that was used in order to acquire that land, regardless of the method by which it was undertaken and regardless of whatever goodwill one wants to extend to those who negotiated it, I would hope that at some point a man of the calibre of the Chief Justice of Ontario, a man with his knowledge and understanding, or an equivalent member of the bar or of the judiciary of Ontario in matters that affect real property, matters of law, matters of equity, matters of compassion and understanding, would be asked to look at Treaty 9, not on the basis of the strict legality, which I believe may very well be determined adversely to the native peoples, but from the point of view of the unconscionable nature of the negotiation and transaction which took place and which requires immediate rectification.

It will not be rectified immediately but it is a matter which is important to me. It is a matter which I have tried to follow ever since I

asked—I am not an antiquarian about this particular place—why there was a particular vote some years ago of \$40,000 to be paid to the federal government for distribution among the Indian peoples of Treaty 9. I was told that was the annuity which was to be paid for the accession to Ontario through the federal government under a complex tripartite arrangement of that vast hinterland, of which we all speak so highly from time to time, known as northern Ontario.

On that note I think I have tried to say what I feel deeply, about in technical legal terms perhaps in some senses, but in a fundamental sense I hope we have the inner commitment, the conscience, the will and the determination to proceed to resolve all the outstanding issues, not as a matter of constitutional reform but as a matter of the obligation of this government representing the people of Ontario so we can, in that way, do some justice to right the wrongs, if one may use that term—I know that other people do not like to use that term—of those who have gone before us, regardless of what their good intentions may have been.

With those remarks we support, as my colleagues have said and as other members of this party have said, the resolution which is before the assembly.

Mr. Piché: Mr. Speaker, it will not be often in our careers as parliamentarians that we shall be called upon to debate an amendment to the Constitution, nor is it often that as members of a provincial Legislature we have the opportunity to debate a motion of such clear and immediate national importance.

While this motion is of great consequence for all of Canada, it is, I believe, of special significance for us in Ontario. We have the largest Indian population in the nation, approximately 70,000 Indians in 120 bands, on 118 reserves and a number of satellite communities scattered across the province. We have also the largest single band, the Six Nations band, of the 573 in the country.

This motion then deserves the particular attention of this House. For all the above reasons, I am pleased to be able to take part in this debate.

Canadian political scientists and sociologists, when describing our country, often remark upon the two solitudes of French and English Canada. It seems to me we can identify another two solitudes in our nation, that of the aboriginal and settler people of Canada. The relationship between these groups has been, I suggest,

characterized by a greater degree of mistrust and misunderstanding, a greater isolation and a greater imbalance of political and economic power than, even at the worst of times, existed in the relations between our French and English communities.

Mr. Harold Cardinal has said that the Indian and native people of Canada have lived for centuries behind what he aptly referred to as the "Buckskin Curtain." The Buckskin Curtain was built out of indifference, bigotry and ignorance. It is older, and seemingly more impenetrable, than either the Iron Curtain or the Bamboo Curtain. I hope it will not prove to be as difficult to dismantle.

I have the honour of representing the riding and the people of Cochrane North. It is the second largest riding in the province and extends into Ontario's far north. It is a culturally and linguistically diverse riding, with Indians accounting for approximately eight per cent of the total population. Within the boundaries of Cochrane North there are seven Indian reservations: Attawapiskat, Constance Lake, Fort Albany, Kashechewan, Ogoki, Moose Factory and Winisk. The total population of these reserves is approximately 4,660 people.

Also within the riding of Cochrane North are two other Indian bands: the New Post band, which is currently in the process of trying to find some land to call home; and the Mocreebec band, which finds itself in a rather peculiar situation in that its status is only currently being investigated by the federal government when it should have been resolved many years ago.

As any member with a native population in his riding has done, I have worked with them as individuals and with their organizations in an effort to help them achieve their goals. Any member who had done so will tell you, Mr. Speaker, that making progress in this area is a painstakingly slow and frustrating process. All too often the results of our joint efforts are not all that could be hoped for. My experience of working with the Indian people in my riding and visiting the reserves, however, has given me a glimpse of what life is like within the Indian community.

The national statistics on Indian life are appalling. In September 1982, the *Globe and Mail* ran an article on the findings of the 1980 report by the federal Department of Indian Affairs and Northern Development. According to that report, infant mortality among Indians is nearly double the national average and suicide three times the national rate. Hospital admis-

sions for Indians are more than double the national rate, reflecting their relative quality of life and standard of living. It is estimated that between 50 and 60 per cent of Indian illness and death is alcohol-related. Furthermore, violent death among Indians stands at four to five times the national average.

Just as tragic is the erosion of the Indian family unit. Recent data indicate that more Indian children are under the care of public agencies than any other group in Canada. Births outside marriages occur at five times the national rate. As for juvenile delinquency among Indian families and communities, it stands at three times the national rate.

Little wonder then that Mr. Joe Miskokomon of the Union of Ontario Indians has said that federal policy and programs have not given Indians a decent life in Canada.

5 p.m.

In working with the native people of Cochrane North I have learned, as have, I am sure, my friends the member for Kenora (Mr. Bernier), the member for Rainy River (Mr. T. P. Reid), the member for Lake Nipigon (Mr. Stokes) and the member for Cochrane South (Mr. Pope), to name a few, that the native people have a very clear idea of what they want and what must be done to achieve it.

They want some degree of control over the regulation and administration of their internal affairs. They want to be able to maintain and pursue their own lifestyles. They want control of their own lands and resources and input into their land use planning decisions. They want a way of life that will enable them to meet their obligations to their families. They want to be treated fairly, with respect and as equals.

There are also a number of material needs that must be addressed. For example, at Moose Factory housing is a big problem. In fact, there is a tent city in which some Indian families live all year round. This is a terrible situation, which should not exist in this day and age. At Cache, health care is a major concern. There is no hospital, only a nursing station, and the reserve is accessible only by air. The nearest hospital is Fort Albany or then on to Moose Factory. At Fort Albany itself there is a desperate need for a water and sewage system.

I feel I must express a special word of concern for the 11,000 native people living in the remote communities in Ontario's far north. These people must, on top of everything else, contend with the problems caused by geographical isolation, a harsh climate, a narrow economic base

and, consequently, extremely limited employment opportunities. The high cost of living in these areas, in part caused by high transportation costs, affects all residents and particularly the very isolated native communities.

Five of the seven reserves in my riding are accessible only by air, and shipping by air is a very expensive proposition. The problem is compounded by the reliance of the population in our remote northern areas on government assistance programs. According to the task force report on transportation and living costs in remote northern Ontario communities, commissioned by the Ministry of Northern Affairs, almost 67 per cent of the population in this study area depends partially or wholly on social assistance.

Let us look at one example of how high the cost of living is in these centres. The task force determined on a 20-item food basket that retail prices in remote northern communities range between 47 and 67 per cent above retail prices in Toronto.

Just to give the House some examples, I checked with the band-operated co-op on the Winisk reserve on the price of a pound of a butter, a loaf of bread, a tin of milk and a gallon of gasoline. The following prices are as of Friday, October 14, 1983. At the Winisk co-op, a pound of butter was selling at \$3.60, a tin of milk cost \$1.29, a loaf of bread was going for \$2.25 and a gallon of gas cost \$6.50.

In Toronto that evening I purchased a pound of butter for \$2.40, a tin of milk for 71 cents and a loaf of bread for 89 cents, and the average price for a gallon of gas in this city would be about \$2.09. I am sure I would have found lower prices if I had shopped around, a luxury not available on the Winisk and other reserves of the far north. I also note that co-op prices in the north tend to be between 10 per cent and 15 per cent lower than those charged by private stores.

These amendments must be endorsed by this House, because they represent a break in what is happening and a new starting point for our relations with the aboriginal people. At future constitutional conferences, I hope efforts will be directed at clarifying a number of questions that surround the issue of jurisdictional competence and responsibility with respect to native affairs.

The task force report I alluded to earlier notes that while there is a theoretical separation of federal and provincial responsibilities, particularly as they relate to Indian reserves and

status Indians, there are apparent overlaps, even duplication in some areas.

Further, the report notes that a great many programs and services are cost-shared by the provincial and federal government. The task force was led to the conclusion that overall jurisdictional responsibility is unclear. The problem is not unique to Ontario; however, given our level of involvement, I believe it is one that we must resolve for two reasons.

First, it could help eliminate duplication and waste, and make the delivery of services more effective and efficient; second, it would help reduce the amount of red tape and greatly simplify the bureaucratic process which the native people confront in their dealings with governments.

One way of clarifying the jurisdictional—I hope Hansard got that right.

Mr. Stokes: Who wrote this?

Mr. Piché: For the information of the member for Lake Nipigon (Mr. Stokes), it was written partly by my office and by myself. This is what I did on the weekend. Sometimes we all have trouble with some of these words. Perhaps I should switch to Cree or French, I do not know.

One way of clarifying the jurisdictional issue and of making the deliveries of services more efficient, which I hope will be explored, is the concept of self-government for native people. This issue of self-government is, as I am sure all members appreciate, a complex one. I will not discuss the matter further other than to note that the federal government has indicated some positive interest in the concept of limited self-rule for native people. It is to be hoped that this will be done soon.

Further, the Minister of Intergovernmental Affairs (Mr. Wells) said in his remarks on October 13 that one of the principles which this government finds acceptable as a guide to ongoing discussion is that the aboriginal people be entitled to various institutions of self-government within the Canadian federation.

It remains to be seen how the governments of our sister provinces respond to this idea. I believe we would all benefit from an open discussion of this option, which at least would produce a better understanding of it.

These amendments deserve the support of the Legislature of Ontario. More important, the effort to improve the quality of life of our aboriginal people, which one hopes will grow out of these amendments, deserves the support of this House. I have every confidence that both

these measures and that support will be forthcoming.

In the interim, it is important to note that this government is making every effort to ensure that a spirit of mutual co-operation and trust continues to develop between the native peoples and the government of Ontario. We recognize that if effective solutions are to be found, it is imperative that policymakers be aware of, and sensitive to, the needs and aspirations of our first citizens.

Over the past several months, four ministers have travelled to the far north to meet with both the native and non-native population to discuss and explore the many unique problems and possibilities of the region. The Minister without Portfolio (Mr. Eaton) has, for example, met with aboriginal and other community leaders. The Minister of Energy (Mr. Andrewes), soon after assuming his portfolio, visited our area to gain firsthand knowledge of the problems of supplying hydro in the far north. The Minister of Municipal Affairs and Housing (Mr. Bennett) also was in the area dealing with problems that his ministry is now addressing.

5:10 p.m.

I would also note that a very important meeting between the regional chiefs and the Minister of Natural Resources is scheduled to be held in Winisk in late November. This meeting was originally scheduled for October 6, but it had to be postponed because of bad weather. I am sure this meeting will result in productive discussions on a wide range of issues and concerns.

This is the type of contact we will need to have, the type of interaction that is required, if we are to work with our first citizens to build a better province and a better society for all our people.

Also, as I mentioned in the debate last Friday in this House, the select committee on the Ombudsman will be travelling to the far north in January, when we hope to suggest ways to help resolve the many problems that exist in that part of Ontario.

Mr. McGuigan: Mr. Speaker, I rise to exercise my right to speak on this historic occasion and to support resolution 10.

The federal Minister of Justice, Mr. MacGuigan, speaking to the standing Senate committee on legal and constitutional affairs on September 7, 1983, said:

"The accord signed by the federal and nine provincial governments for the participation of

the territorial governments and the leaders of the assembly of first nations, the Inuit Committee on National Issues, the Native Council of Canada, the Métis National Council, was accordingly not an agreement to amend the Constitution, but an understanding on the part of the federal government and nine of the provincial governments that a resolution would be laid before the respective legislatures."

We have the resolution before us today. Although I have a local interest that I will speak about later, probably I would not have exercised my right to speak on it if it was not for the time I have spent on the social development committee the past two years, studying first of all the problem of abused spouses and then later the problem of abused children.

One of the things that developed as a picture in my mind as we listened to many of the witnesses who came forward to explain the very terrible situations with which they had to deal, as social workers and as officers of the court and as mothers and fathers and as foster parents, goes back to a lesson I learned in rural sociology. I hope you will allow me to go over that for a minute, Mr. Speaker.

With the exception of special cities, such as Sudbury, which was situated to exploit the mineral reserves, or other cities that were put up for a specific purpose, usually in some remote area, every city in the world really is the excess of rural populations.

If one thinks of the first settlers in Canada coming down the rivers, such as the Thames River in southwestern Ontario—and it is a geographical fact that every river in the world is surrounded by good agricultural land—they chose that spot to settle and to wrest their living from the land.

As the population of the little communities grew, they found they had people who could do more than work on the land. They found people who specialized to be artisans in carpentry work or in making shoes or clothing. Of course, those expanded until today we have people in a great many specialized occupations. All of those occupations were made up of people who were not required to produce food.

During our hearings it appeared many of the problems of abused children occurred in situations where children were really not needed to perpetuate the family labour situation as it exists on farms, because in the cities a child cannot work alongside his father in a factory as a child works along with his father and mother on a farm. Alienation develops in those families.

I could go on and on about the differences between rural and city life.

Then we went on to Grassy Narrows in northern Ontario, to the Indian reserve just outside of Kenora, which has perhaps the worst problems of any reserve in Ontario brought about by pollution of the river. There is the loss of their livelihood in the form of fish they can no longer take from the river; and the disruption to the farming they did, because they did a bit of farming. They grew some of their own fruits, vegetables and grain. They lost their employment and they really lost their will to live. Seeing those terrible situations and then going into the city of Kenora there seemed to be Indians on the street in rather deplorable conditions.

Just as an aside to that, I think the most heart-rending part of that was to see the young Indians apparently in good health and spirits playing amongst themselves as children would under any circumstance. Then as one watched those children or looked to comparable people of older years, as they got into their teens the glow seemed to have disappeared. When they become young men, the look of confidence and self-assurance that most young men and women carry is pretty well gone. Then if one sees them on the streets of Kenora, Winnipeg and other places where they congregate at about 40 years old, one really sees human derelicts, wrecks of people. It should not be so.

This whole situation of the people on the reserves brought my mind back to the question of rural sociology, to what happens to the excess people on the reserves, because unlike the pre-white man days when populations were held in check by the balance of population and food, and the primitive medical facilities of their own—they did have medical facilities of their own, but they did not have the antibiotics and systems for maintaining life we have today—we have excess populations who must leave the reserves. They leave the reserves first of all without much hope and education, and they arrive in a city such as Toronto where we see them.

The member for Riverdale (Mr. Renwick) spoke about a report that was done some three years ago. I will just read some of it, or at least the account in the *Globe and Mail*:

"That is a major finding in the preliminary report of a three-year, \$1-million study of the native peoples living in Ontario urban areas. The report provides a summary of five separate research projects involving more than 3,000 interviews of native peoples in 32 urban locations.

"More than 75 per cent of those interviewed said that they had moved to a city or town because they or their parents were looking for work. Although employment was cited as the reason for what the report called a migration only half the respondents were employed and barely half of those had permanent jobs.

5:20 p.m.

"The lure of urban employment,' the report warns, 'hides a depressing reality. What awaits them in the city is not always satisfying or fulfilling. Our sample has a high unemployment rate. Many have low incomes and the daily struggle to pull oneself up from poverty includes housing frustrations and high use of the medical care system.' Despite the fact that many of the respondents were located through their employment or native organizations, almost 60 per cent of the sample reported had an income of less than \$7,000 or no income at all. Fewer than 20 per cent earn more than \$11,000."

The article goes on to describe many other well-known plights of the Indians in the cities.

I believe we have a situation where, if we ignore it today and leave it to future generations, we are going to have a problem of horrendous magnitude that I suppose will build up to a point of warfare between two peoples who have been friendly for many centuries and many generations. We have no right at all to treat them the way we are treating them. As their population builds, and it is building faster than most populations in the world, as the needs and the claims for resources become more intense and as our population in southern Ontario becomes greater, as does our need to export more resources to developing peoples of the world, we are going to come to a real confrontation with tragic results.

We must deal with that today. I do not believe for one minute that this resolution or anything that any of us can do or say here today is going to solve the problem, but we must make a beginning to resolving the very basic fact that those people in the north cannot live on the fishing, hunting and gathering mode.

Travelling back from Kenora, I was sitting in the aeroplane alongside a native—not a native Indian, but a native Canadian—a lawyer from the Kenora district. He very kindly explained to me the forests and parks that were cut over and the burnt-out parts, and I was very appreciative of what he was talking about. We turned to talking about the Indians, and he said, "You have to face the fact that there is not enough

protein down there to maintain the population." By protein he meant fish, animals and herbs.

It goes back to a lecture I heard many years ago. I wish I could tell the members who the author was. The point he brought out was that in the hunting, fishing and gathering mode of living—in whatever part of the world, although there are going to be differences—in North America it takes 6,000 acres to provide the food for one family. We might question that when we think of the vast herds of elk, moose, deer and so on that we have in the north, but we must remember we do not feed on that population of animals. We feed only on the excess, we feed only on the increase, because if we attack the herd it will not be too many years before there is no herd. That herd also supports the predators, the wolves, the wolverines—

Mr. Stokes: They will go the way of the buffalo.

Mr. McGuigan: The whole food chain, as the member for Lake Nipigon knows. There is a food chain there and man lives only at the very top of it. I suppose the top of that would be the deer, the elk and the moose. The point is that the Indians cannot live in the old traditional way, and yet we have not left them other resources on which to live.

The people at Grassy Narrows told us they did not have housing. I guess, being a rather simple fellow, I looked around and said: "How can you tell us you do not have housing when all I can see around is trees? There are trees on every hand. If I was a young fellow up here and the bride wanted a house, I would be out with an axe chopping down trees and building myself a log house, because today there are people in southern Ontario putting up log houses as luxury houses. They claim they are the finest houses you can build. The insulation of those houses is tops. They are very fire resistant; they do not burn down easily. I can show you these houses in southern Ontario that cost thousands and thousands of dollars, and they are made of logs."

I said, "Why can you not build a house when you are surrounded by logs?" They said: "We cannot touch those logs. They are not ours. We cannot touch them. We cannot touch the fish because they are not fit to eat." There are no jobs for them because they are not trained, and even if they are trained, one does not find those people accepted in the job market.

We find Indians on the street here and we find some of them washing windows. In the apartment building where I live I noticed this morn-

ing there was a young Indian in the hallway washing windows, polishing the brass and so on. I do not think one can walk into a store in Toronto or any other city in southern Ontario and find an Indian clerk. In my part of the country there are Indians in industry, building houses and that sort of thing; but where work is available for women, one will find very few Indian women in those positions unless it is as a domestic or something of that sort.

We have an impossible situation. They cannot live in the north on their resources, they are not being trained to live in the city, and even if they are trained, they come into an absolutely alien culture. It is an alien religion in many instances. It is an alien culture. They are not prepared for it and they fall victim to all of the vices we have in the city. I know we are not going to solve that. As the member for Riverdale (Mr. Renwick) said, it has to be solved in the courts; but even beyond the courts, beyond the strict legal interpretation, we have to add some humanity to that situation so they can live in harmony with us.

On a more local nature as far as I am concerned, in my riding I have the Moravian reserve, which is a reserve that goes back to the 1790s when a band of Delaware Indians from the north central United States came here with the Moravians, who I believe came from Czechoslovakia, who were themselves a persecuted group because of their religion. It was a protestant group that had problems with the Reformation in Europe. They came and established on the banks of the Thames River a Moravian missionary village and the Indians from Delaware joined them there. They set up what was an ideal community.

It flourished for many years until it was destroyed in the War of 1812. In fact, just a few miles away the historic battle between the American and Canadian forces took place at which Chief Tecumseh was killed. There is a cairn on Highway 2 near Thamesville commemorating his death. There seems to be a dispute as to where his actual body is. Over on Walpole Island, which is a reserve in the riding of the member for Chatham-Kent (Mr. Watson), they have a cairn—I saw it just a few days ago—that says his body rests there.

I saw one of the members smiling at my pronunciation of Tecumseh. We would be more apt to say Tecumseh, but the Indian language is one of one syllable. That is how it would have been pronounced in the Indian language. It would be Tecumseh.

Mr. Wildman: He was the best general in that war.

5:30 p.m.

Mr. McGuigan: He was one of the best generals. He was also one of the best diplomats and politicians the world has ever seen. He was not just a Canadian-class politician, he was a world-class politician. Had he not died at that battle he might well have united all the Indian tribes of North America. He had that potential, that quality, that charisma and sagacity, and that brainpower. He had been very successful down in the American states at harnessing and joining together many Indian tribes. He was a warrior, politician and statesman of world class, not just North American class.

I was listening to the member for Riverdale citing the specific items that are of concern. He touched on several concerns to the people of the Moravian reserve. I think the first one I heard him speak about was the care of Indian graves.

The graveyard at the Moravian reserve is on the banks of the Thames River. The Thames River is eroding the banks at that point, so today those graves are gradually being washed into the river. That is a desecration of their holy ground. It is also our holy ground because I imagine white people are buried in that same graveyard.

One of the jurisdictional disputes that perhaps causes the situation to continue is that the bottom of the river is, in the eyes of the Indian people, part of the reserve. I should have explained that the reserve comes to an end at the edge of the river. In their view, the bottom of the river is still part of their reserve, part of the crown land, but in the view of the province it is not.

That jurisdictional dispute impinges on the question of Indian graves. It also impinges on the question of the right to fish in that river, because in the spring of the year the Thames River up to the bridge at Middlemiss is the prime spawning ground for yellow pickerel for the whole of the central basin of the Great Lakes, especially Lake St. Clair, Lake Erie and, I suppose to a lesser extent, Lake Huron. The yellow pickerel come up that river in great numbers. There is a question as to whether the Indians can fish those waters.

There are questions, too, about Ontario Provincial Police being Indian and being stationed on the reserve. They have put in a request many times to have an Indian policeman as part of the OPP system stationed on the reserve. They keep running up against the point that the OPP says it

has 120 of them in Ontario, that is the ceiling and it simply cannot have one until the ceiling is raised. It is very convenient to say: "We have a ceiling and nothing can be done. We have a program and we are on your side. We are on the right side of it. Morally we are with you but we have no dollars for you."

Again, there is the question of who looks after the welfare of children who need care. One of the things that came through loudly and clearly at Grassy Narrows was that our present system of whites taking care of native children simply is not working. When we bring them out of the reserve and place them in the very best of Canadian homes, they have a terrible problem in identifying with the children with whom they associate and go to school. They find themselves at the point of being neither Indian nor white.

Studies show that many of those children perhaps are worse off in the long run than they would be staying in even a poor Indian home, because often we try to put our Anglo-Saxon values, our ideas of housing and so on that we think are required, on everybody and say they must be in those types of homes. I noticed that some of the people who were with us visiting Grassy Narrows were rather upset by the modest homes the Indians had. Some of those homes did not have any doors or windows. I did not think that was the general situation, but there were a few houses with no doors or windows.

We were walking around nearly half frozen and I suppose, with that temperature, to the Indians it was just a nice afternoon. It is similar to the people who come here from the islands of the Caribbean; I see them working in southern Ontario and in September they will put balaclavas on their heads. The rest of us are overheated but in September they are cold. One will see them working there with balaclavas on their heads.

It is a matter of relativity. I did not see anything wrong with the homes not having windows and doors if the people did not want the windows and doors. They were quite comfortable and I am sure when the temperatures got to the point where some protection was required, they would do it. After all, these people survived for hundreds of thousands of years under a lot worse conditions than those and they know how to survive. Our problem is that we judge them by our mistaken values.

I am sure there are other things that the people of the Moravian reserve would bring up as being matters that they would see as con-

cerns, but these are some of the main points. I simply want to bring them forward to let you know it is not just in northern Ontario and in the area of Treaty 9 that these matters cry out for some resolution.

I want to conclude by saying that the resolution may not be everything the Indians would want, because I notice in all of their literature, and I have lots of it here before me, they want complete self-government and recognition as a nation. I suppose one could carry that to the point where they could say, "We even want to be able to make treaties with other countries."

I am not sure whether either we in this House or the government of Canada are willing to go that far. I do not know, but I think we should make clear to the Indians where they stand and whether they fully accept everything that is finally negotiated or arrived at, at least they would know where they are and they could adjust themselves and their culture to go forward. At the present moment they have expectations that may not be met. Nevertheless, those are expectations. If they are false expectations and if they are not based on good sense or law or practicalities, I think those things should be pointed out to them, so that we can be honest with them.

One of the basic things we are talking about here is being honest with these people and carrying out with our actions what we so often speak of.

5:40 p.m.

Mr. Breaugh: Mr. Speaker, I wanted to participate in this debate for a number of reasons. I think it is a significant debate in this Legislature. It is the first attempt at amendments to the new Canadian Constitution. It is unusual in the sense that a resolution is before the House which really the members here cannot touch. This is "take it or leave it" time. Whether we like the resolution or not, there really is not a great deal we can do about it. It will stay in its present form. We will do what this resolution says or we will get nothing. It has been presented on a "take it or leave it, this is the only game in town" basis. On that basis, we do not have much choice. We will, of course, take it.

I wanted to participate in the debate from another perspective as well. In my experience I first met native people when I was growing up in Napanee, mostly young men from the Tyendinaga reserve just outside Deseronto. One of the first recollections I have of empathy with native people was when I heard people in my own

town, who were not nasty people by any means, use the word "Indian." With that, there was something very Canadian. I heard something similar when they used the word "Catholic." We were both minorities in a small Ontario community, and there was a great deal of civility and conservative composure when people used either one of those two words.

Underneath it there was also something else you really could not define. There was an attitudinal thing. People were not quite sure who these minority groups were. Particularly when they used the word "Indian," there was not just a lack of understanding; there was a certain amount of fear in there. They did not quite understand what native people were about. They were not at the point of being hostile in a public way very often, though that sometimes did occur, but they were uncertain of their ground. It was almost as if there was a conscience at work here, which said: "In some way, we have mistreated this group. We are not quite sure how and not to the point where we are really prepared to admit it." But there was an acknowledgement of it.

So some empathy was established there. As young people we generally met on occasions when we were participants in sport and we developed a rapport. Many young people did not understand what our parents were talking about when they used words like "Indian" or when they talked about something like "an Indian list." We did not have a great deal of knowledge of that. In reading Canadian history, one does not get much of a flair for what Canadians have done to native people over the years either. But as you study it a bit more and you meet more native people, you do begin to get an understanding.

One of the things that helped me a little bit was that when I was a young man my father used to work on Manitoulin Island in the summers and I met young native people at West Bay, Wikwemikong and Sheshagwaning. I recall thinking at that time that from my own experience we were poor. We did not have a great deal of money or a lot in the way of material goods. But we were never that poor. We never experienced that kind of poverty.

When I talked to them, even as a young boy from Napanee, I always felt there were chances for me to get a job, an education, to do whatever I wanted to do, that were not available to these young people. I really could not ascertain why, except that in a typically Canadian way there

have been barriers presented to native people that have not yet been overcome.

In a sense, this resolution is very much like the attitude of this nation towards its native people for a very long period of time. It is not much; it is a bit of a promise; it is an acknowledgement that there are some difficulties, some problems that have to be resolved. But there is not a great deal of hope in here either. One has to be extremely optimistic to read this resolution and feel good about it, feel that something positive is going to happen, that very old wounds are now going to be healed, that all these difficulties are going to be resolved.

To someone who has studied Canadian history, one of the things that always struck me is that when the initial treaties were signed, when the deals were struck, one would have thought a deal is a deal. But as the native people found out, a deal is not necessarily a deal. It does not necessarily mean the problem will be resolved. It does not necessarily mean the Canadian government, in all of its shapes and forms, is now prepared to resolve native land claims and establish native rights.

As we listened to the speeches in the Legislature around this resolution, I think we could see a good deal of what is right and wrong about this country, and what is right and wrong even in this Legislature; about our attitudes towards the native people, that somehow these are special rights that are going to be given to a group in our country, whereas people would look at in a different light if one took this resolution out of context and said: "We are now going to give to all the Irish-Catholics in this country a resolution to honour contracts, to treaties that were struck a long time ago. We are now finally going to begin to try to resolve those."

We are now going to treat native people in a way that is fair. How is that seen to be a special right? How is that seen to be something that is unique? Do we not all have equal rights? Do we not all have an opportunity to advance ourselves? Do we not all have an opportunity to equal access to health care?

In a theoretical sense, we do. In a practical sense, we do not. If one gets an opportunity to visit reserves in the north or in the south, one will see there is not really practical equal opportunity. We do not talk in these terms in Canada, and none of us escape it.

I spent the previous week in Washington. One of the things we saw there that we do not see in Canadian cities is a group that are called bag people—the ones I saw were all black—sitting

on a street with all their worldly possession in five or six shopping bags. It struck me that just outside the hotel where I was staying there was an elderly black person, dressed literally in rags, with a half a dozen shopping bags around him. In the five days that I was there, I never saw him move. I never saw him go for a meal. I never saw him go home for a night, for an evening's rest. It really struck me.

In the usual pious Canadian way, I said: "Well, how can a society as wealthy and as strong as the United States of America allow people to sit on a street and literally wait to die? That would never happen in Canada."

After I returned to Toronto, I was out for one of my noon-hour walks when I happened to see one of our native people on College Street, not as badly dressed, hopefully able to go around the corner to the Fred Victor Mission for a meal and hopefully able to go to a hostel in the evening, but it reminded me that here in Toronto, not far from this Legislature, there are human beings who are living on the street, in the city hall garage, who have no place to live, who have not much of a future. One can justify it by saying, "Well, it is not as bad." But one cannot get away from the idea that it happens here in Toronto. In particular, it happens to a great extent with our native people. Those problems have not been resolved and they will not go away.

Part of what this resolution does is provide some hope that some of those wrongs will be corrected, but one has to be extremely optimistic to think this resolution will do that.

When one gets right down to it and tries to peel away the kinds of words and faces that Canadians have put on their treatment of native people, one is hard pressed to think of an atrocity that is not on the record here in Canada. As we were reminded a little while ago by a Conservative senator in Ottawa, in Canada a whole tribe of native people were eliminated, assassinated, done away with. We would tend to think in the Canadian experience that kind of thing would not happen in Canada, that we would never treat any minority group in that way, but one cannot get away from the fact that it did happen here in Canada and it is still being talked about in rather unfortunate terms by some Canadians.

We do not think of ourselves as being that kind of people. We are fair. We are just. We treat people equally, but history denies that. We do not do that. It would be atrocious, I would bet, in most circles to talk about apartheid in

Canada. We do not talk in those terms. We do not say, "We would never take a minority group and set them up in some kind of prison camp and treat them in a different way." Yet we did that with the Japanese for a short period of time.

If one goes on to reserves in many parts of Canada and looks at how native people are treated, where they live, how they live and what their futures are, one has to put one's mind to work to make the distinction between the two policies of how Canadians treat their native people and how South Africans treat their black people.

The differences are there, but one really has to go through a mental exercise to find them. I am not so sure if one was on the receiving end of that kind of policy one would make those distinctions, that one would see them in different lights. In other words, if one is starving to death in an apartheid camp in South Africa, I am not so sure there is a hell of a lot of difference between that person and someone who is a native person in northern Ontario.

5:50 p.m.

As I listened to the debate, as was expected and is fair, I listened particularly to government members trot out all the pilot programs that are at work, all the small grants that have been given to native people to do whatever it is the government wants them to do. That is fair. I think the dramatic thing to look at, though, is that we are still talking in terms of grants of \$20,000 here, \$27,000 there and \$30,000 there at the pleasure of the government. We are still talking about pilot programs to accomplish certain things. We are not talking about general programs that will resolve the problems of native people but about what a government wants to do on a given day. I am sure the government members will say, "That is all good; those are good things we are doing for our native people." But I hope no one is pretending that this is going to resolve the problems native people face.

Whenever one looks at efforts by native people to build something of their own, whether it is wild rice crops in northwestern Ontario or any other endeavour, one is constantly reminded that as long as what the native people want to do does not interfere with somebody else's ability to make a buck, it is okay, but the moment it does, the native people are promptly put in their place. The priorities are clear. The history of this nation is consistent that they do not get even equal footing. That, I think, is a sad lesson.

Look, for example, at the west coast. I was

watching the Journal the other evening, where they did a piece on the Haida Indians and their culture and what has happened to them. One gets a rather sad sense of how the federal government and, in part, the provincial governments have treated native people over the years, how they have developed little classifications of how the native people must act. They have even set them up in different groups and have applied classifications to them. They have made sure that there is a federal bureaucracy at work so that on many of our reserves our native people cannot do anything that does not fit into a particular box.

On reserves it is true today, as it has been for some period of time, that native people are almost totally dependent, a dependence created by the federal government, on the federal government to do almost anything they need to do, whether it is trying to get a job, trying to build a home, trying to get health care or education or anything. The white man has made them dependent on a bureaucracy that in many ways is insensitive and unfair and appears—though I am sure in the greatest Canadian tradition set up to do good things—to do bad things for people. This, I think, is one of the tragedies that people in Canada will have to live down.

I am not so sure they can. I am not so sure we can say to native people: "We are finally getting around to settling some land claims. Finally, a couple of hundred years after we signed the treaties, we will now decide what the terms are. We are finally getting around to providing some rights when other citizens have those rights now. We are finally getting around to providing you with some services such as education or health care."

Some members may know that I am a great fan of the Jesuit order. At one time I thought the Jesuits could do all things. There was no group of men in the history of mankind who would accomplish what the Jesuits could do. One of the things that struck me when I went as a young boy to visit reserves at West Bay was that the Jesuits were there and had been there for some period of time. Although they may have had—and I am sure they did have—several things to say about how they had improved the lot of the native people with whom they worked, they certainly had not managed to improve the economic lot of those people. If even the Jesuits have failed to do that in a Canadian society, there must be a lot of work left to be done.

I think the thing that still runs against my

grain most of all is that the government of Canada, the government of this province, has made harassment of the native people an accepted thing. That bothers me. Whether we are talking about the provincial Ministry of Revenue dealing with Indian retailers on a reserve, whether we are talking of the Ministry of Natural Resources and their dealings with native people, it is not unfair to say that at all levels of government the harassment of native people is okay. I do not know why that is. There is a long history of it in the Canadian experience and it seems to be an accepted piece of business.

When everyone gets down to the point of view of dealing with native people in terms of getting an education, improving themselves, doing what they want to do, they are given second priority. In the Constitution itself the rights of native people as being proposed to be dealt with by this amendment are given second priority.

The history of the nation—though, in a Canadian way, we probably would find some nicer way to say this—in the treatment of its native people is simply abysmal, without question. When one thinks of atrocities that one set of human beings has performed upon another set of human beings, one can find those in the history of this nation in dealing with its native people. I dare say there is hardly an atrocity one can think of that is not on the historical record of this nation as being done against its native people. Somewhere, at some time, we have put most of the atrocities that I can think of upon our native people.

I hope this resolution, in some small way, will move to rectify that. I have heard the resolution referred to as a watershed. If this is true, it is a mighty small watershed indeed. If it does something to rectify what I think is an abysmal record of treatment of native people in this country, we will have accomplished a small bit. However, at best, in my most optimistic tone, that is all I can see us doing.

We are beginning to recognize a problem of substantial stature. We are beginning to try to rectify wrongs that have been going on in this country for literally centuries. We are beginning to restore, I hope, some faith and some hope in our native people that the governmental processes in Canada are not all bad, that there are some means to rectify those wrongs.

On this basis, I support the resolution. As I have said, I have reservations about it, but I do believe we are beginning, now, to try to deal with these problems. I hope the passing of this

resolution in this Legislature and in other legislatures across the country will finally bring some of the fairness and justice to our native people which has been lacking for better than 200 years.

Mr. Shymko: Mr. Speaker, I am honoured to be able to participate in the debate on the motion to amend the Constitution of Canada. I know there is five minutes left, and I had contemplated I would speak a little longer than five minutes but not as long as some members may have thought I would speak.

A number of us have noted that this is, indeed, an historical occasion. In my view, the thoughtful remarks made by members of all parties, including the remarks made recently by the member for Oshawa (Mr. Breough), have reflected the solemnity and importance of this moment.

There may be some who would question my credentials to participate in the debate. After all, I am a representative of a southern metropolitan riding and do not, as do some of my friends on both sides of the House, deal regularly and frequently with native peoples of this province. Certainly, the speeches we have heard so far reflect an experience. The member for Lake Nipigon (Mr. Stokes) is a classic example of this experience. He, personally, has evoked sentiments of understanding and sensitivity on the part of all of us. I congratulate him on sharing some of the concerns that he has felt over the years in representing his riding. I may say the same thing about the member for Cochrane North (Mr. Piché) and other members.

However, I am fairly convinced that the fate of these amendments is not only of interest to the 300,000 Indians, 25,000 Inuit and between 200,000 and one million Métis people of our nation, but also of direct and immediate interest to all Canadians, whatever our background, whatever our racial or ethnic origin.

I am also deeply concerned, as are all members of this assembly, about the rights and the freedoms in our political system. I am also concerned, as are many other members, about the ability of different cultural groups to determine their own destinies; to build their own futures; to pursue their own ways of life within the framework of our laws, laws that are guaranteed by statutory, parliamentary acts, preferably—as some would like to say and as I believe—by the entrenchment of these rights in our Constitution.

I would like to stress, however, it is more important that they be entrenched in the minds,

in the hearts and in the attitudes of us all, as members of a tolerant, sensitive, just and free society because, no matter what statutory acts we may have, no matter what Charter of Rights we may possess, no matter what constitutional declarations and guarantees we may see, more or less, we will understand and must understand that all of this depends on the whims, attitudes, values, climate and the perception which pervades a given society at a given period in history. As witness to that, for more than three quarters of a century Negro slavery existed in spite of and despite the existence of a great democratic American Constitution.

It is, therefore, the entrenchment of attitudes that is fundamental to the backing of our laws, charters and constitutions. It is the interpretation we have in our attitudes, in our minds and in our hearts that really is fundamental to the reality of a just, fair, tolerant and democratic society.

Tolerance is, therefore, the key to building that society. I would like to continue. It being almost six o'clock, I would simply like to add that tolerance will only result from an understanding, of the sensitivity, needs, aspirations and the values of our different cultural and

racial groups, particularly of our country's native peoples, which are being discussed today.

Mr. Speaker, if I may continue tomorrow, I would like to address some other aspects of this debate.

On motion by Mr. Shymko, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, the debate on this motion did not conclude today as we thought it might have, so it has been arranged that we will continue the debate on this resolution tomorrow evening. As to the bills previously announced, I think the transportation bill standing in the name of the Minister of Transportation and Communications (Mr. Snow) will be on first, followed by the two bills of the Solicitor General (Mr. G. W. Taylor) and then the bill of the Minister of Labour (Mr. Ramsay) on lie detector tests.

Mr. Nixon: I thought we were going to do Bill 61.

Hon. Mr. Wells: Bill 61; which one is that? Interjection.

Hon. Mr. Wells: I was not aware of that. The House adjourned at 6:03 p.m.

ERRATUM

No.	Page	Column	Line	Should read:
56	2069	2	30	But we should also make this distinction: that is, not to say we are not prepared to defend, in a very active way, the escarpment versus, say, the developers. Those people are new to the scene. They are putting forward proposals, some of which will have dramatic effects on a piece of property such as the escarpment. For these people, I do not see that this Legislature has a great deal of obligation to break rules, to bend rules or to reinterpret rules.

CONTENTS

Monday, October 17, 1983

Statements by the ministry

Grossman, Hon. L. S., Treasurer and Minister of Economics:

Temporary sales tax exemptions 2135

Snow, Hon. J. W., Minister of Transportation and Communications:

Child restraint legislation 2135

Oral questions

Andrewes, Hon. P. W., Minister of Energy:

Hydro reactors, Mr. Peterson, Mr. Rae. 2135**Hydro reactors**, Mr. Rae, Mr. Peterson. 2138

Bennett, Hon. C. F., Minister of Municipal Affairs and Housing:

Unconditional municipal grants, Mr. Van Horne, Mr. Rae. 2140

Grossman, Hon. L. S., Treasurer and Minister of Economics:

Youth employment, Mr. Peterson, Mr. Foulds, Mr. Mancini. 2137

McCaffrey, Hon. B., Provincial Secretary for Social Development:

Closure of homes for developmentally handicapped, Mr. R. F. Johnston, Mr. McClellan,
Mr. Wrye. 2141**Closure of homes for developmentally handicapped**, Mr. Peterson, Mr. R. F. Johnston,
Mr. Wrye, Mr. Rae. 2144

McMurtry, Hon. R. R., Attorney General:

Bail order review, Mr. Kennedy, Mr. Cunningham, Mr. Renwick. 2148

Snow, Hon. J. W., Minister of Transportation and Communications:

Toronto Transit Commission contract, Mr. Hennessy, Mr. Cunningham, Mr. Foulds. . . 2142

Timbrell, Hon. D. R., Minister of Agriculture and Food:

Chicken production, Mr. Boudria. 2146

Petitions

Inflation restraint legislation, Mr. Worton, Mr. McKessock, Mr. Eakins, Mr. Boudria, Mr.
Rae, Ms. Coppins, Mr. Martel, Mr. Allen, Mr. Renwick, Mr. Stokes, tabled. 2149

First readings

City of Etobicoke Act, Bill Pr47, Mr. Kolyn, agreed to. 2150**Heritage Windsor Act**, Bill Pr13, Mr. Newman, agreed to. 2150

Government motion

Constitution amendment proclamation, Mr. Wells, Mr. Sterling, Mr. Wildman, Mr. Renwick,
Mr. Piché, Mr. McGuigan, Mr. Breaugh, Mr. Shymko, adjourned. 2151

Other business

Length of ministerial answer, Mr. Wrye. 2146**White Farm Equipment**, Mr. Nixon. 2147**Election anniversary**, Mr. Nixon. 2147**Question period**, Mr. Kennedy, Mr. Cunningham, Mr. Martel. 2147**Business of the House**, Mr. Wells. 2173**Adjournment** 2173**Erratum** 2173

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
Andrewes, Hon. P. W., Minister of Energy (Lincoln PC)
Bennett, Hon. C. F., Minister of Municipal Affairs and Housing (Ottawa South PC)
Boudria, D. (Prescott-Russell L)
Braugh, M. J. (Oshawa NDP)
Copps, S. M. (Hamilton Centre L)
Cunningham, E. G. (Wentworth North L)
Eakins, J. F. (Victoria-Haliburton L)
Foulds, J. F. (Port Arthur NDP)
Grossman, Hon. L. S., Treasurer and Minister of Economics (St. Andrew-St. Patrick PC)
Hennessy, M. (Fort William PC)
Johnston, R. F. (Scarborough West NDP)
Jones, T., Deputy Speaker and Chairman (Mississauga North PC)
Kennedy, R. D. (Mississauga South PC)
Mancini, R. (Essex South L)
Martel, E. W. (Sudbury East NDP)
McCaffrey, Hon. R. B., Provincial Secretary for Social Development (Armourdale PC)
McClellan, R. A. (Bellwoods NDP)
McGuigan, J. F. (Kent-Elgin L)
McKessock, R. (Grey L)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)
Newman, B. (Windsor-Walkerville L)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Peterson, D. R. (London Centre L)
Piché, R. L. (Cochrane North PC)
Rae, R. K. (York South NDP)
Renwick, J. A. (Riverdale NDP)
Shymko, Y. R. (High Park-Swansea PC)
Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
Sterling, Hon. N. W., Provincial Secretary for Resources Development (Carleton-Grenville PC)
Stokes, J. E. (Lake Nipigon NDP)
Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
Turner, Hon. J. M., Speaker (Peterborough PC)
Van Horne, R. G. (London North L)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wildman, B. (Algoma NDP)
Wrye, W. M. (Windsor-Sandwich L)



No. 60

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Tuesday, October 18, 1983

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, October 18, 1983

The House met at 2 p.m.
Prayers.

PLOUGHING MATCH

Mr. Mitchell: Mr. Speaker, on a point of privilege: It seems to me it was about a year ago that some honourable members stood in this House and extolled the results of the International Ploughing Match that was held in the riding of Middlesex last year. Some comment was made on the prowess of the winners. As members know, the great ridings of Carleton and Carleton-Grenville were the hosts of that same International Ploughing Match this year.

Mr. Bradley: Who won?

Mr. Mitchell: I am getting to that. It is all right.

I realize it has been some time coming but I have been waiting for an appropriate time, on behalf of the member for Carleton-Grenville (Mr. Sterling) and myself, to point out these things to the members, particularly those opposite; and just to show everything is always on the up and up in those two great ridings I mentioned, we are quite prepared to acknowledge the skill and prowess of members opposite.

I would like, with your permission, Mr. Speaker, to deliver to the member for Haldimand-Norfolk (Mr. G. I. Miller) the trophy for winning the championship of the MPP Plough. If he makes a return comment, I am sure he will acknowledge the extremely good hospitality that was provided.

Mr. Speaker: I am not sure we should encourage this sort of thing, but the member for Haldimand-Norfolk.

Mr. G. I. Miller: Mr. Speaker, I have always been proud to represent the riding of Haldimand-Norfolk, which has provided a lot of good ploughmen over the years. As a matter of fact, the championship ploughman for Ontario was Bill Huffman, who won that honour this year. I am also proud to represent the Liberal caucus and have the opportunity to plough at Ottawa.

I would like to say not only to the member who made the presentation but to the member for Carleton-Grenville that we did enjoy the hospitality. It was a pleasure to spend a few

hours and participate in this successful and worthy match.

Mr. Swart: Mr. Speaker, it would be somewhat remiss if the winner from last year did not get up this year to express his congratulations to the member for Haldimand-Norfolk. I understand he deserved to win because my wife, who was there, said it was between him and me as to who ploughed the best furrow of this year. My wife may have been a little prejudiced and, therefore, he is the rightful winner.

I rise to compliment the hosts in the Ottawa area for the excellent welcome they gave, not only to all the ploughmen from across Ontario but particularly to the members of this Legislature. Certainly, that commendation is deserved.

VISITOR

Mr. Speaker: Before proceeding with the routine business of the House, I would ask all honourable members to join me in greeting Mr. Martin Bravo, member for the constituency of Nottingham in the House of Commons at Westminster, and Mrs. Bravo, who are visiting Toronto. They are in the Speaker's gallery.

STATEMENT BY THE MINISTRY

TASK FORCE ON EMPLOYERS AND DISABLED PERSONS

Hon. Mr. McCaffrey: Mr. Speaker, on behalf of my colleague the Minister of Labour (Mr. Ramsay), I am pleased to table the report of the minister's Task Force on Employers and Disabled Persons.

As the honourable members know, the question of employment for disabled men and women is a particularly challenging one. I might just say, by way of an aside, that the Minister of Labour is at this moment in Ottawa dealing with and making public a report called Linking for Employment.

Historically, disabled people with the ability and the desire to work competitively in the open market have had a particularly difficult time finding jobs, and the unemployment rate among disabled people has been persistently high.

In recent years, significant strides have been made in handicapped employment through the

enlightened and energetic efforts of community-based organizations serving disabled people, employers in both the private and public sectors and governments at all levels. At the provincial government level, handicapped employment initiatives through the secretariat for disabled persons, the Workers' Compensation Board, the Ministry of Community and Social Services, the new provisions of the Human Rights Code and the Ministry of Labour have all played a part.

In 1981, the International Year of Disabled Persons focused particularly important attention on the issue of employment for the handicapped. During that year, the then Minister of Labour met with a number of employers throughout the province, discussing the issues. He was greeted by genuine interest and a genuine desire to help. At every stop, private sector employers wanted to know how they could help and how they could get involved.

In 1982, my colleague the Minister of Labour appointed Mrs. Jean Pigott of Ottawa to chair a task force to hold more detailed discussions with the private sector and to make recommendations. Mrs. Pigott, with her eminent background in business, community and public affairs, was an ideal person to chair the task force. She has brought sensitivity and keen insight to this important work and the government is most grateful for her efforts and those of her colleagues.

The report I will place before the members at the end of question period today is a culmination of those efforts. It contains a prescription for closer links at the community level between employers and disabled people. The principles of that prescription strike me as being inherently sensible.

I know my colleague the Minister of Labour is confident that the report will stimulate broad public discussion, and I know he looks forward to that commentary in the coming weeks and months. I also know he is confident the report will be of immediate use to the Ontario Manpower Commission as it prepares its advice for the government on continuing approaches to improving the employment circumstances of handicapped people.

2:10 p.m.

ORAL QUESTIONS

HYDRO REACTORS

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Energy, to pursue some of the matters we were talking about yesterday. He

will be aware now, I am sure, that a report in 1976 talked about some of the problems that were involved in the Zircaloy-2 tubes that were put into Pickering units 1 and 2 and about some of the advantages of the new upgraded models that went into the other units at Pickering. This was the first indication that there were problems with those tubes. He is also aware of the study that was discussed yesterday with respect to those problems.

Why would he try to give the House the impression that this study pertained only to units 3 and 4 when, in fact, it said in that study, "It therefore appears to be desirable to remove tubes from units 1 and 2 as soon as possible"? Indeed, the study we talked about yesterday put the priority on units 1 and 2 and went on to say, "The time factors for the decision of tube removal for Pickering units 3 and 4 appear to be less severe." In other words, the priority was placed by that study on units 1 and 2. Why did the minister choose not to address that problem?

Hon. Mr. Andrewes: Mr. Speaker, the report that was referred to yesterday—I believe it is 82-37-K—was prepared by a technical review subcommittee made up of representatives from Ontario Hydro and Atomic Energy of Canada Ltd. to review concerns with respect to hydrogen in reactor pressure tubes. Its primary direction dealt with the buildup of hydrogen in the ends of pressure tubes, which, together with the stresses left by improper rolling of the pressure tubes into the end fittings, had resulted in small cracks in units 3 and 4 at Pickering. I am told that 72 tubes were removed as a result of this problem that initiated the study and the report.

However, at the time the report was initiated, the cracking was confined to the rolled joints in units 3 and 4 at Pickering. No cracking had occurred at that time in units 1 and 2; nor was any cracking expected in units 1 and 2, because they were made of a different Zircaloy alloy. I think it is significant to point out that to this day no cracks of this type have been detected in units 1 and 2 at Pickering.

Mr. Peterson: The minister will be aware that the whole thrust of the report is, in fact, that cracking and embrittlement could develop and that no one would know the answer to that for sure without testing, and the report very specifically recommended testing. That is what this whole issue is about.

Mr. Speaker: Question, please.

Mr. Peterson: It said very clearly, "Unplanned outages can be expected if hydride-related

problems develop over the next few years," and it went on to say that the only way to check for sure is to do the testing. This relates to units 1 and 2 and not units 3 and 4.

The question again is, why was that not proceeded with, as recommended as far back as 1976?

Hon. Mr. Andrewes: I can only emphasize again that the thrust of the report related to the cracking at the rolled joint ends. It did not relate to problems that caused the failure of unit 2 at Pickering. If the recommendations of the report had been followed, if a random sampling removal had been made on Pickering units 1 and 2 reactors, the chances are that the G-16 tube that caused the failure on August 1 might not have been one of those that had been removed, might not have been one of those that had undergone the subsequent testing.

The chances are relatively small that the problem of blistering that caused the failure of unit 2 would have been detected.

Mr. Rae: Mr. Speaker, can the minister explain why still, as of today, no random tests with respect to the tubes at unit 1 are taking place?

Hon. Mr. Andrewes: Mr. Speaker, the question the leader of the third party has raised refers to the continued operation of unit 1, and I have told the House that the operation is indeed continuing under the supervision of the Atomic Energy Control Board, that Hydro is acknowledging that the problems associated with unit 2 may indeed follow into unit 1, but at this point there is no compelling evidence to point in that direction.

Mr. Peterson: The minister is right that the report did address the problem of the rolled joints, but it went on to talk about the hydriding which caused the problem in this particular instance we are talking about. There was very clear indication ahead of time, as far back as 1976, in a report the minister has probably not seen as well as the one we are discussing, that this potential problem could develop.

In another report called CRNL-2329, in appendix 4 of this study entitled Hydrogen (Deuterium) Ingress at Rolled Joints in Pickering NGS Units 1 and 2, by Mr. V. F. Urbanic, it goes on to say: "In summary, the assumptions regarding the deuterium ingress rate at tube ends and the corrosion deuteriding rate along the tube, introduce uncertainties in the predictions of deuterium concentrations in Zircaloy-2 pressure tubes in P-1 and P-2. Improvements in the predictions

can only be made by removing tubes from P-1/P-2. Obtaining data from other sources, including Douglas Point, is not expected to lessen the uncertainties in the predictions."

We have now at least three studies that say the tubes had to be removed in order to check for the hydriding problem and it was not done. Is the minister aware of all these studies and the mountain of evidence that suggests it should have been proceeded with? The question again is, why did the minister not do it?

Hon. Mr. Andrewes: The question of hydriding, as I have said on many occasions, is related to the problem of the cracks in the rolled joint ends, not related to the crack in tube G-16 that caused the outage on August 1. We are talking about a different phenomenon on unit 2 than the question of the rolled joint cracks. To that extent, recommendations made in Hydro's research reports are not relevant to Pickering unit 2.

Mr. Peterson: I believe the minister is getting very bad advice on this whole matter and I recommend the reports to him.

Let me ask another question about this entire matter. The minister is aware that Mr. Furness indicated the cost of retubing would be about \$600 million if that should become necessary. The minister will be aware that in report 77073 in 1977 the Canadian Nuclear Association said that retubing of each reactor would take between 49 and 59 weeks, and that is not the most perfect objective. Their perfect objective would be between 37 and 47 weeks, if they can work 24 hours a day.

Is the minister aware of report 77073, entitled Retubing a Candu Reactor, by G. J. Field of Ontario Hydro, which talks about the exposure level for the workers who would be involved in retubing those plants? Is the minister aware of that paper, and what risks is he prepared to expose those workers to?

Hon. Mr. Andrewes: If the Leader of the Opposition is going to ask me if I am aware of all the reports that are in the public reference centre of Ontario Hydro, I might as well tell him right here and now, no, I am not aware of all the reports that are in that centre. There are literally thousands of reports and I do not have enough hours in the day to review them, to receive or to précis them.

2:20 p.m.

I would only suggest to the Leader of the Opposition that the question of exposure levels in the retubing of Pickering unit 2 will be dealt

with prudently and judiciously by Ontario Hydro and that workers will not be exposed to excessive radiation in the retubing of any reactor if, in fact, unit 2 in its present state requires that retubing.

Mr. Peterson: This is a new minister and I want to be charitable, but has he heard of the theory of ministerial responsibility, that he is responsible for what goes on under his ministry? If we can read these reports, why can the minister not read them? Why does he not insist that Ontario Hydro brief him on the relevant material that he must be involved with in order to make intelligent decisions in running that ministry?

Will the minister study the problem of the potential radiation exposure that workers will be subjected to if they are involved in a retubing, and will he tell this House if it is possible at present to meet the dose target of 500 rems using currently available techniques and how many workers are going to be required to retube these reactors over a period of time?

Hon. Mr. Andrewes: I will take the detail of the Leader of the Opposition's question as notice and will respond at some later date.

Mr. Sargent: Mr. Speaker, when there are significant events, reports come out. The minister has made the statement that such reports are available to the public. They are not. The only way anyone can see them is to go to the Hydro building and stand there and be watched by a person while reading them.

Mr. Speaker: Question, please.

Mr. Sargent: In taking over this job, will the new minister undertake to provide reports on significant events to all members of the Legislature so that we will know what the hell is going on?

Hon. Mr. Andrewes: Yes, Mr. Speaker.

HYDRO RATES

Mr. Rae: Mr. Speaker, my question is also to the Minister of Energy about Ontario Hydro. It has to do with the impact of what has happened with respect to the pressure tubes at Pickering unit 2 on the future of the nuclear program in terms of cost. Mr. Nastich replied to a question at a press conference on September 21 by saying that the estimates for all four Pickering reactors for materials, labour and design, not including replacement fuel cost, would be \$330 million. If we take a replacement fuel cost of \$250,000 per day, we come up with a figure that is roughly the

same as the cost of the original construction of the four units at Pickering.

I would like to ask the minister to tell us today in the House, if he can, the impact that the replacement of these pressure tubes is going to have on the cost of nuclear fuel and on hydro rates in this province.

Hon. Mr. Andrewes: Mr. Speaker, I assume when the honourable leader of the third party refers to nuclear fuel, he refers to electricity generated through a nuclear reactor. The current work that is going on at Chalk River to determine the extent of the problem at the Pickering unit 2 reactor has been reported to this House and will continue to be reported to this House.

At this time Hydro is not in a position to make a judgement on either the extent of the problem with the Pickering unit 2 reactor or the extent of the work that will be undertaken to rehabilitate that reactor and to put it back in service. As that information becomes available, judgements as to costs will be more obvious and it will be easier to make that estimate.

Mr. Rae: At the same time as the minister is delaying answering this question, the government is engaged in going full steam head with respect to the rest of its nuclear expansion program. When does the minister anticipate being able to tell the House what the cost of the pressure tube replacement is going to be and the impact that this is going to have on hydro rates in the foreseeable future?

Hon. Mr. Andrewes: As soon as those costs are available, as soon as those estimates are available and as soon as the utility has consulted with the Atomic Energy Control Board as to the kinds of activities that are necessary to rehabilitate unit 2, I will report to the House.

Mr. Peterson: Mr. Speaker, is the minister telling this House that studies have not been made on the cost of repair and replacement? Mr. Furness has a figure. Is the minister aware of his figures? Does he agree with him? Is that not the answer to the leader of the New Democratic Party's question?

Hon. Mr. Andrewes: The studies have been made on the various case scenarios, but I am telling the member that the accurate kind of information for me to put before this House or to give as cost estimates is not yet available because the extent of the repairs is not yet determined.

Mr. Rae: Mr. Speaker, the nuclear systems department of design and development, the

department which, according to the report we discussed yesterday, was supposed to prepare cost figures within a few months, has told our researchers it is still busy working on any cost damage estimates and will not release anything now.

Mr. Speaker: Question, please.

Mr. Rae: Can the minister please tell us why it has taken so long for the nuclear systems department of design and development to calculate the cost, even from the program that was established in 1982?

Hon. Mr. Andrewes: Mr. Speaker, I would assume the prolonged length of time is related to the question of information and the kinds of information that are available as a result of the studies that are being undertaken at Chalk River. Until that information is complete, until the studies are complete and until Hydro and AECB have consulted as to the extent of the rehabilitation, as I said before, it is impossible to make that estimate.

FRENCH LANGUAGE RIGHTS

Mr. Rae: Mr. Speaker, my new question is for the Premier. It concerns the question of French language rights, a subject we have discussed before in the House.

I would like to refer the Premier to the answer he gave me the last time I addressed this question to him on October 13, 1983. He talked about the fact that "there is always a tendency to concentrate on the things we are not doing and talk about entrenchment when they do not fully appreciate, in terms of the legal system, in terms of our educational system, that they are there by way of statute, which in this province has the same legal impact as if they were in the charter."

With respect to the legal system and the educational system, if the legal impact is the same as between a statute and a charter, what is holding the government back from moving ahead with amendments to the Constitution Act which would allow us to entrench French language rights with respect to the courts at the very least? If the legal impact is the same, what is holding the government back?

Hon. Mr. Davis: Mr. Speaker, I believe I answered this question on the previous occasion but I will repeat it. The policy of this government is to move, as we have, progressively in terms of providing services in the French language for Franco-Ontarian citizens. It has been the policy and one which I think has worked

really quite well, and that is exactly what I told the member several days ago.

Mr. Rae: Mr. Speaker, with great respect, I do not think the Premier is giving the House the answer it deserves to have on this question.

Mr. Speaker: Question please.

Mr. Rae: The question is very simple and very direct. If there is no legal impediment and if he does not have, to quote him directly, "a concern with respect to the 'political backlash,' if one wishes to use that terminology," would the Premier tell the House what it is holding the government back from moving ahead with respect to entrenchment? He still has not answered that very basic question.

Hon. Mr. Davis: Mr. Speaker, I will only repeat what I said in reply to the member's question, which is exactly the same question he asked several days ago. The fact that the answer I give does not suit him does not mean it is not an answer. I say that with great respect. We happen to disagree on this particular approach to the language matter in Ontario. I did not say there was not a concern and I was not concerned. I think I used the phrase, "I am not preoccupied." That does not diminish the fact that there is some concern.

I say to the member he will find the word "preoccupied" by it, if he will look very carefully. I do not read my own Hansard, but I do know I used that phrase. Am I right? Is it there? I think he will find it there.

Mr. Rae: If you look hard enough, everything is there.

Mr. Foulds: And nothing.

Hon. Mr. Davis: I am concerned about many things. I take a look at the polls and I am concerned about the honourable member. They are the last ones who should chuckle about that.

Mr. Bradley: Back to the question.

2:30 p.m.

Hon. Mr. Davis: Is the honourable member satisfied with the answer? The answer is very simple. The policy of the government is to do what it has been doing and we think we have been doing it relatively well.

Interjections.

Mr. Speaker: Never mind the interjections, please.

Mr. Roy: Mr. Speaker, I have listened to this discussion and I have had discussions on this topic with the Premier since 1971. I would like to ask him a question. He has stated on a

number of occasions that one of his concerns about entrenching rights, either in legislation or in the Constitution, is that he does not want to build up expectations which his government or the bureaucracy would have some difficulty in fulfilling. The second concern he has indicated is that if he moves too quickly he is afraid of stimulating a backlash out there.

Given these particular circumstances and admitting that he has moved in certain areas, why is the Premier reluctant to entrench in areas where he has already taken the initiative, for instance, the Legislature, education, the courts and certain government services? Why is he afraid of entrenching in those areas along the lines I have proposed in a resolution that is at present on the order paper of the Legislature? Why is he reluctant to do this and what backlash is he afraid of encountering when he would likely have the support of all the parties and most likely of all the members in this assembly?

Hon. Mr. Davis: Mr. Speaker, I have to confess to the honourable member that over the past two weeks I have been somewhat at a loss really to understand the position of his party. I have always understood his, but if he reads the record very carefully, he will find that in his absence the leader of his party has had four positions on four different occasions in the last three weeks.

Mr. Conway: Roy McMurtry has positions which are not the Premier's. Read this document and it is not your position.

Mr. Speaker: Order. The member for Renfrew North will please contain himself.

Mr. Roy: On a point of order, Mr. Speaker: The Premier will know when he talks about different positions of different parties in this House that some of his colleagues, even those on the front bench, have had different positions—

Mr. Speaker: Order. The honourable member will please resume his seat.

Mr. Bradley: In the Carleton by-election.
Interjections.

Mr. Speaker: Order.

Mr. Roy: Why doesn't the Premier answer my question?

Mr. Speaker: The time of this House is being abused and I shall have to take drastic measures.

Mr. Conway: And the Runciman position.

Mr. Speaker: The member for Renfrew North, this will be your final warning. Thank you.

Mr. Rae: For the record, Mr. Speaker, the

government has passed legislation with respect to courts and education. Education has even gone into the Constitution, as the Premier knows. It is moved on registration of wills and land title deeds and with respect to town councils in terms of legislation.

What is holding the government back with respect to something as fundamental as health and social services? Does the Premier not feel that francophones in Ottawa or Sudbury who are denied access to social services in their own language should be entitled as of right to challenge the government of Ontario in court, to have their day in court with respect to minority language rights? What is holding the government back from moving in that area?

Hon. Mr. Davis: Mr. Speaker, I cannot speak with the same degree of knowledge in some areas of social services, but I have discussed with ACFO and other Franco-Ontarian groups the question of legislating in, say, the field of health.

I think the honourable member would appreciate and would not expect to legislate that, say, a surgeon should be bilingual. To legislate in the health field poses certain very real practical problems, and it is one this government has addressed. We have had reports on it. We have made substantial progress in terms of the provision of services in the health system in the French language to our Franco-Ontarian citizens. I must confess I am drawing upon my memory now in saying that we really have not had many strong representations after discussions on legislating in the health field. I think I say that advisedly.

SECURITIES INDUSTRY

Mr. Breithaupt: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. As we have now heard from the minister with respect to the operations of certain trust companies in Ontario, I would like to remind him of another area I raised before the adjournment of the spring session regarding the re-emergence of the broker-dealer problems in Ontario.

Since that question prompted an investigation by the Ontario Securities Commission over the summer months, will the minister now report to the House on the investigation and, if not, when might we expect to have a report on this subject?

Hon. Mr. Elgie: Mr. Speaker, I have not received a report from the Ontario Securities

Commission, nor can I assure the member it is a report that will be public. That will be a matter for their determination, but I certainly will inquire into it on behalf of this Legislature.

Mr. Breithaupt: Since most of the losses suffered by the persons involved have been either by pensioners or others on fixed incomes who are totally unsuited to getting involved in the kind of risk investments which these proved to be, and since the actions of a few companies can quickly blemish the reputation of the investment industry, will the minister consider interim measures that may deal with this particular concern and put his mind to those kinds of problems with the hope they are going to be resolved by the results of this investigation and the report made to the securities commission?

Hon. Mr. Elgie: We are certainly always looking at areas of the law with relation to securities that need to be looked at and reviewed from time to time, but I think the member will agree that the broker-dealer community in this province has served a valuable role. Whether that role should change or not, of course, is a matter that is always open to review and consideration. At this time, I cannot make a commitment that the government is prepared to make any changes in the legislation which was passed in this House in, I believe, 1978 or 1977.

SECURICOR INVESTIGATION AND SECURITY LTD.

Mr. Mackenzie: Mr. Speaker, I have a question for the Solicitor General. It is our information that the principals of Securicor are now operating under the guise of another firm, namely, Brown Security. Is the minister aware of this matter?

Hon. G. W. Taylor: Mr. Speaker, no, I am not aware of it, but if the member wants to give me more information, I will inquire into it and get back to him as to my awareness of the matter.

Mr. Mackenzie: Inasmuch as the ministry did not go after the principals back on June 28, but only went after the licence of Securicor, and with some four months having gone by without the hearings having been yet held, what assurance do we have that this company is not now an empty shell with the business and contracts transferred to another firm?

Hon. G. W. Taylor: I cannot give the honourable member any guarantees on what is taking place. There is a licensing and regulatory process. If the individuals have gone through that and there is a prosecution against a particular

company in a forthcoming hearing, the determination will be made by the hearing board.

I cannot inform the member as to whether the new company is operating or whether there will be, as he might have suggested, a shell of a corporation left there. However, the hearing will proceed and a determination will be made by that board.

Mr. Conway: Mr. Speaker, I have a question for the first minister, who is somewhere in the precincts.

Hon. Mr. Grossman: He went out. He will be back.

Mr. Conway: Then I will stand my question down until he returns.

2:40 p.m.

WOMEN'S PENSION BENEFITS

Mr. Wrye: Mr. Speaker, I have a question of the Minister responsible for Women's Issues. Last August, as the minister knows, Manitoba became the first province to enact legislation prohibiting discrimination in pension payments to men and women in employer-sponsored retirement plans. This bill prohibits unequal pension benefits to men and women who make the same contributions to their retirement plan.

As the minister will know, insurance companies use sex-differentiated tables to calculate annuity payments. Because women as a group live longer than men, they receive smaller pensions so that their benefits will be spread out over their retirement period.

Has the minister heard of the legislation, has he had a chance to review the Manitoba law and does he intend to urge its adoption here in Ontario?

Hon. Mr. Welch: Mr. Speaker, as the honourable member will know, the whole question of pensions and pension benefits is under review at the moment. We are in fact conducting a fairly intensive study here under the leadership of the Treasurer (Mr. Grossman), and the women's directorate is a part of that. We know too that the federal parliamentary committee is hearing representations. Recently our own Ontario Status of Women Council was before that committee making some representations.

In summary, this and a lot of related matters dealing with the whole area of pensions are under very active review.

Mr. Wrye: The minister will know that Manitoba is not the only jurisdiction to pass such a law or to speak to it. In July of this year, the US

Supreme Court banned unequal pension benefits to men and women as well.

It seems to me to be unfair, and I hope the minister will agree, that a man who retires at age 65 would receive \$617 a month if he buys an annuity with a \$50,000 pension while a woman with the same annuity receives only \$558 a month. Is the minister recommending to the Treasurer (Mr. Grossman) in his review that Ontario's pension laws be reformed to erase this kind of discrimination?

Hon. Mr. Welch: All of these issues, as I have already indicated, are currently under review. In fact, our Treasurer will be convening a meeting of all provincial ministers charged with this responsibility as part of that.

Ms. Bryden: Mr. Speaker, since this is Persons Day, which marks the 54th anniversary of the day on which women were recognized as persons in Canadian law, I think it is very appropriate that we are discussing a question of equality for women.

I wonder whether the Minister responsible for Women's Issues will undertake a full study of the Manitoba law as it was passed recently and of the green paper produced by the Manitoba Legislature before that law, and consider some of the other recommendations in the law Manitoba has adopted, because I think that province has led the way in a great many pension reforms of value.

Hon. Mr. Welch: Making some reference to the preamble, I was well aware of the special day, the anniversary of when the Privy Council reversed the Supreme Court of Canada on that whole question of the definition of a person. I join the honourable member in drawing public attention to that landmark decision of the Privy Council. I certainly assure her that the matter to which she and others have made reference in this whole area of income support through pensions is under very active review.

REST HOME CONDITIONS

Mr. Cooke: Mr. Speaker, I have a question of the acting Minister of Health. The question concerns rest homes and the lack of regulation of rest homes in the province.

Our research department has carried out investigations into some of the rest homes across the province. One such rest home is Elm Lodge Rest Home in Windsor. Our investigation has found that the staffing is inadequate; in fact, there is only one staff member paid at that lodging home. The inside of the rest home has

holes in the wall, the outside looks like a slum dwelling and there is absolutely no activities program or rehabilitation program for the ex-psychiatric patients who by and large make up the population of this rest home.

Mr. Speaker: Question, please.

Mr. Cooke: Does the minister not realize that because of the lack of provincial regulation, the individuals who reside in these rest homes are not getting the proper kind of care, that there is no rehabilitation program and that we are simply adding to the revolving-door process in and out of our psychiatric hospitals in this province, which is inhuman to the individuals and very costly to the taxpayers of this province?

Hon. Mr. Wells: Mr. Speaker, I would like to be able to help my friend, but the Ministry of Health does not license or have any responsibility for rest homes as far as I am aware. The regulation of conditions rightly falls within the municipality and the question should be directed to the municipality.

Mr. R. F. Johnston: That's the whole damned problem.

Mr. Rae: That's the problem and you know it.

Mr. Speaker: Order.

Mr. Cooke: Perhaps the acting Minister of Health is aware that the city of Windsor is one of, I believe, four municipalities across the province that have bylaws. When we attempted to amend the City of Windsor Act in the Legislature to give the city wider-ranging regulation powers, members of the government party on the standing committee on administration of justice blocked those amendments to the City of Windsor Act so the city could not regulate the rest homes properly, thanks to the Minister of Municipal Affairs and Housing (Mr. Bennett).

Does the acting Minister of Health not realize that by his lack of responsibility and by abandoning thousands of ex-psychiatric patients in this province to privately owned rest homes that are not regulated, he is neglecting these people, abandoning his responsibility and costing the taxpayers millions of dollars in the interim? When is he going to get on the ball and regulate these rest homes? It is desperately needed and it is supported.

Hon. Mr. Wells: I cannot recall the circumstances in the justice committee, but I certainly would not personally be opposed to giving Windsor the powers they wish to handle rest homes. It strikes me as the very appropriate

thing. I am sure the very progressive city of Windsor could handle it very well, and I would be happy to see them do that.

Mr. Wrye: Mr. Speaker, it is wonderful to hear that the minister has a personal position. It is too bad he did not give that position to his colleagues before so that our changes would not have been blocked.

Mr. Speaker: Question, please.

Mr. Wrye: Does the minister not believe that the time has come for the province to undertake immediately the drafting of comprehensive legislation and the integration of existing legislation with respect to the licensing, standards, funding, monitoring and jurisdictional responsibilities related to adult residential facilities? Is it not time that the ministries involved sat down and discussed the speedy introduction of such legislation?

Hon. Mr. Wells: Mr. Speaker, I will be very happy to pass that on to the Minister of Health (Mr. Norton) when he returns, because I know the ministry is doing a study of homes for special care.

Advances are being made in the nursing home area, but the honourable member has to remember that there are certain levels of care and that the Ministry of Health has responsibility for those institutions that require certain degrees of medical care or some types of criteria that would apply to those homes. Basically, rest homes have not fallen within that category of certain medical areas. With the proper powers, there is nothing wrong with municipal regulation of rest homes.

TOBACCO TAXES

Mr. G. I. Miller: Mr. Speaker, I have a question for the Treasurer. Is the minister aware that sales of tobacco products continue to drop because of the high percentage of tax levied against them? The tax rate on these products increased by 26 per cent in 1982, by 52 per cent in 1983—plus the five cent increase on October 1—the ad valorem tax, plus the seven per cent sales tax.

The tobacco growers and their board are concerned that this industry could be in serious trouble. Will the Treasurer consider reducing these taxes to the inflation levels?

Hon. Mr. Grossman: Mr. Speaker, I have already met with some of the representatives of the industry. They were brought in by the Minister of Agriculture and Food (Mr. Timbrell),

who is very concerned about this issue as well.

At that time, we reviewed all the circumstances with that group and they requested that we simply review the information they brought to us in some depth, undertake to review all the circumstances surrounding the drop in sales this year and consider in some depth the impact that additional taxes have had over the last period of time in causing that drop.

We undertook to do that, and we undertook to follow the results of the review that the federal Minister of Finance, Mr. Lalonde, is also doing at their request. Mr. Lalonde and I discussed this issue when we met last Thursday, and there was an agreement that this kind of review was appropriate and timely right now.

I cannot add very much at this time because, to be fair to all those involved in trying to assess this difficult issue, we have to complete this review process, which will very much involve the interested tobacco farmers in the area and the Ministry of Agriculture and Food.

2:50 p.m.

Mr. Nixon: Mr. Speaker, will the minister undertake to the House and to the tobacco industry that he will not increase the levy in the budget he is just beginning to prepare now?

Hon. Mr. Grossman: Mr. Speaker, obviously I cannot give any undertakings with regard to any particular tax loads at this time, because it would be unfair to other people in the economy if we reduced our options right now. However, they have our undertaking both to study this particular area in some depth before further action is taken and to meet again with them well prior to the next budget so they may have significant input into all that.

INFLATION RESTRAINT BOARD

Mr. Wildman: Mr. Speaker, can the Treasurer tell us whether it was one of the qualifications for those appointed as members of this government's so-called Inflation Restraint Board, or for its staff, that they have basic literacy? If they are supposed to read, who instructed them not to read the submissions made to them by public sector unions on behalf of their members when the board was considering decisions on public sector compensation rates?

Hon. Mr. Grossman: Mr. Speaker, I do not think the initial part of that question was quite fair or appropriate in the circumstances.

Mr. McClellan: Just read the answer.

Hon. Mr. Grossman: I can close my book.

How is that?

Mr. Allen: Has the minister memorized it?

Hon. Mr. Grossman: That is right, I have memorized it. Who wants it? Some of the members opposite could use this a great deal.

Mr. Speaker: Now for the answer, please.

Hon. Mr. Grossman: Mind you, some of them could not do anything with it anyway.

Mr. Foulds: Do you want a suggestion, Larry?

Hon. Mr. Grossman: That would not help the member either.

Interjections.

Mr. Speaker: Order.

Mr. Wildman: It would feel good, anyway.

Hon. Mr. Grossman: To the member perhaps.

I believe the case the honourable member is referring to is one that is under review once again by the Inflation Restraint Board. There were changed circumstances which caused a misunderstanding by the Inflation Restraint Board with regard to that matter. The coverage seemed to indicate at the time that the information was clear and available but not read.

As we have reviewed this with the Inflation Restraint Board, it turns out that this is not quite a fair interpretation of what happened. The case, as a result of a change in ownership of the nursing homes involved, is being reviewed once again by the IRB, and I believe justice ultimately will be done in the circumstances.

Mr. Wildman: As the minister knows, I am referring to the case of the former employees of the CIKent nursing homes. If the matter is being reviewed again by the board, can the minister confirm that the union made a submission on June 7, while the board was considering a decision that came down on July 4, which indicated there would be a rollback if the board ordered a cut in the arbitration award and yet the board still ordered a cut, which ended up in a rollback, and then indicated afterwards that it did not know it would mean a rollback?

The employees have had to pay back this money. What can be done to alleviate the hardships that these employees have suffered because they had to pay back the money so quickly?

Hon. Mr. Grossman: As I recall, there was a misunderstanding with regard to the submission made on that point and the years during which the decision would impact the settlements. As a result of that, the board, in all good faith and having reviewed the documents—let me be

clear, having reviewed the documents, as I understand it—misunderstood the application of the statement made by the union in that case to the various timings of the phase-in of Bill 179 and its effect.

Therefore, it was not a matter of not having read the documents. It was a matter of the documents submitted being interpreted in a different way and being interpreted so as to leave the Inflation Restraint Board, I believe, not aware that the impact of its decision, given the timing of Bill 179, would be such that there would be a significant payment back owed by the employees. The change in ownership changed all those circumstances once again; so I believe the circumstance we are concerned about will turn out to be an academic one.

ANGLING LICENCE FEES

Mr. Eakins: Mr. Speaker, my question is for the Minister of Natural Resources. The minister is no doubt aware that the recently announced fee increases in nonresident angling licences have caused some concern with our neighbours to the south. As the Northern Ontario Tourist Outfitters Association has pointed out, had the changes been announced in the peak tourist season months: "Our members could explain the increases to United States visitors on a one-to-one basis while they were in camp. Now it is going to take a major public relations campaign in the United States to explain the program."

Could the minister explain to the House the reason behind the timing of this announcement? Could he tell us that the government now plans to mount a public relations advertising campaign in the United States to explain the new fee increases, and if so, what does he estimate the cost of this advertising campaign to be?

Hon. Mr. Pope: Mr. Speaker, we would be pleased to announce an advertising and publicity campaign.

Mr. Rae: Anywhere, any time.

Hon. Mr. Pope: Anywhere, any time. This is the second time they have come across in favour of that kind of expenditure. The fact of the matter is that these changes were announced in January 1983, and throughout the spring and summer months we had letters from Congressmen, Resorts Ontario, NOTOA, various tourist establishments in Ontario, fish and game clubs in the province and American tourists.

On the basis of those discussions and that reaction, we have substantially amended our

original proposal. The honourable member will recall that our original proposal was for a four-day licence with an increase from \$8 to \$10 and a 21-day licence at a charge in excess of the \$15 seasonal charge under the old system.

On the basis of the reaction from our American friends, we reinstituted the seasonal licence concept. I indicated that to a sports club in Sarnia in June of this year, with a lot of the American media present. The member will also know that in Sarnia this year I indicated we thought the fee for the seasonal licence would be in the neighbourhood of \$50. He will also therefore know that in the light of reaction to that over the summer months, we reduced the fee to \$30 from \$50.

I do not think it is fair to say there was a lack of notice for American travellers this summer. In fact, American tourists were writing to me and discussing it with various tourist operators in Ontario over this entire past season.

Mr. Eakins: It is obvious the northern Ontario tourist outfitters certainly do not agree with the minister. There must be something wrong with his public relations. Why does he not take the Minister of Tourism and Recreation (Mr. Baetz) into his confidence before he makes major announcements affecting the tourist industry in Ontario?

Hon. Mr. Pope: The member knows that we did work with the Minister of Tourism and Recreation on this issue and have since the very beginning.

Mr. Wrye: Then it is his fault.

Hon. Mr. Pope: No. I am just indicating, contrary to what the member is trying to suggest, that the Minister of Tourism and Recreation was aware. We relied in part on his information that 94 per cent of the American tourists in Ontario stay once a year for 15 days or less and, therefore, would pay only \$5 more for their fishing privileges this year over last year.

While we are talking about NOTOA, that association wrote to me on April 21, 1983, to express its concern about the rate. I replied and met with them twice during the discussion of this fee increase, and did so as late as last week; so the member should not tell me there has been no consultation or discussion.

CONVERSION OF RENTAL UNITS

Mr. Philip: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. Is the minister aware that yet another

Etobicoke apartment, located at 557 The East Mall, is being converted to tenancy in common, despite Bill 32, which was passed recently in this House? Is the minister aware that elderly widow tenants in this building are being harassed by being given notices that they either buy their apartments or move within 10 days?

Hon. Mr. Elgie: Mr. Speaker, I would have thought the member would have appreciated that is a landlord and tenant issue and would have directed the question to the Attorney General (Mr. McMurtry), who deals with landlord and tenant matters.

3 p.m.

Having addressed it to me, however, I would assume the member is saying that the remedies for ordinary landlord and tenant measures open to individuals who are being harassed as he has indicated have been sought in the courts and there has been no success. Is that what the member is saying? Or is he saying that the ordinary remedies have not been approached?

Mr. Philip: The minister is responsible for the administration of the act. He well knows that he is responsible for the Condominium Act and he knows perfectly well that the Minister of Municipal Affairs and Housing (Mr. Bennett) is too intransigent to change the Planning Act to give local municipalities the power to stop this kind of erosion and the throwing out of tenants on the street. Therefore, is this minister prepared to at least amend sections 59 and 60 of the Condominium Act to stop this practice once and for all?

Hon. Mr. Elgie: There, the member did need some help with the question after all. It was lucky we forced the member to get that question worded properly.

I do not think the member really means it when he says that the Condominium Act should be amended to deal with tenancy-in-common issues. The landlord and tenant issues related to the tenancy-in-common matter were dealt with quite expeditiously and adequately by the Attorney General of this province in a bill submitted to this House last spring.

Mr. Ruprecht: Mr. Speaker, does the minister still consider that there are no loopholes in the Landlord and Tenant Act and the Residential Tenancies Act? When I questioned the minister previously in connection with the manner in which the Toronto Apartment Building Co. was conducting business, he either denied that the act needed amendment or hid behind the Thom

commission. The Speaker will remember that question.

In view of the fact that the Residential Tenancy Commission has now asked the Supreme Court of Ontario to proceed against this company because of its illegalities, does the minister still feel this is a watertight piece of legislation that requires no further examination by this House?

Hon. Mr. Elgie: Mr. Speaker, in spite of the interesting prologue, if the member will take the time to review Hansard and reconsider the answers given in the past, he will agree that what I have said is that this issue was specifically addressed by an all-party committee of this Legislature that wanted some flexibility with respect to conversion matters. That is exactly what was achieved in that act.

In the past, I said that the Residential Tenancy Commission had shown that it could address itself to those issues. It has now done so by making an application to the Supreme Court of Ontario asking that certain representatives of certain companies be found in contempt of the commission.

That is not to say that the government is not at all times ready to review a number of issues, and this may be one that we are prepared to look at—stop waving at me; the member for Quinte (Mr. O'Neil) keeps waving at people over here. If the member wants to say hello to me, he can just come over and say hello. Stop waving at me.

Mr. O'Neil: Mr. Speaker, I am waving at some of my constituents in the gallery.

Mr. Speaker: That is no point of privilege. However, we are very happy to have them with us.

Mr. Ruprecht: Surely the point is that in the meantime, while the minister is dithering, there are hundreds, and I would even say thousands, of tenants being harassed and thrown out on to the streets because of this whole business of conversion. What we want the minister to do—and I hope he is not going to insult our intelligence over here—is to act and bring in amendments.

He says there has been an all-party committee and it is going to look into the matter. The question is, when will this minister act so that tenants are not thrown out on the street? Specifically, what is he prepared to do to amend this legislation?

Hon. Mr. Elgie: I have already answered that question.

ST. LAWRENCE ESTATE NURSING HOME

Mr. Samis: Mr. Speaker, I have a question to the acting Minister of Health relating to the situation at St. Lawrence Estate in Glengarry county. In view of the fact that the administrator of the nursing home estimates that approximately 45 per cent of the residents are there because no private nursing home in the united counties would accept them, would the minister intervene to work out arrangements with the united counties to arrange the needed capital funding to do the necessary repairs and to keep it open as a nonprofit facility to ensure that these people are guaranteed proper care in the upcoming years?

Hon. Mr. Wells: Mr. Speaker, I would be very happy to look into this matter. I understand a meeting was held around October 11 with the staff from the ministry, the board and the administrator of the nursing home. The nursing home, St. Lawrence Estate, was asking for tenders for someone to buy the property. I am not aware of what has happened in the interval but I would be glad to look into it. Certainly the interest of the government is to be sure that the best services are available in the united counties, as they are in the whole province.

Mr. Cooke: Mr. Speaker, since the Ministry of Health will have to approve the sale of this nursing home as it has been approved by the local government, and since the sale of this licence is really a sale of residents—because that is what the sale of a licence to a nursing home is, a sale of people to a new private owner—and since the municipal government—

Interjections.

Mr. Speaker: Order. Will the member please place the question?

Mr. Cooke: I am trying to.

This nursing home has been nonprofit and has taken heavy bed care patients, which the private nursing homes shy away from because those people are not as profitable for the private owners. Does the minister not think it is up to the ministry to take the initiative and get involved with the local government to make sure this nursing home stays as a nonprofit, so that we do not have problems in that area with the heavy bed care patients either having to remain in active treatment beds or chronic care or at home or some other place where they are not getting the kind of care they need in a nonprofit, as they do in this nonprofit nursing home?

Hon. Mr. Wells: Mr. Speaker, obviously concern for the patients and the quality of care in that area has already been demonstrated by the ministry, because the people from the nursing home services branch have been meeting with people from that institution. The information I would like to ascertain is why the locally elected people in the united counties and the city of Cornwall want to sell this particular institution.

Some hon. members: Money.

Hon. Mr. Wells: It is very easy to say money, but a municipality is one of the partners in government and it cannot just abdicate its responsibility. If the member feels so strongly about the need for a nonprofit care facility in the area, I am sure I can guarantee him that this government and the ministry would be happy to sit down with the people from that institution and see if there is not a way out of the problems they have.

Ms. Copps: Mr. Speaker, this is not the first time we have dealt with the issue of licensing nursing home beds. The minister will no doubt remember a discussion that impacted very heavily on Ridgetown during the tenure of the last Minister of Health. Would the acting minister consider letting the standing committee on social development take a look at the present licensing procedure to prevent the kind of wholesale transfer of licences, sometimes out of communities altogether, and to prevent the pressing situation that presented itself last year in Ridgetown and again here in Cornwall?

Hon. Mr. Wells: Mr. Speaker, I am always happy to look into any reasonable suggestion, which is, of course, what the member has made. But I draw her attention to the fact that at present a sale has to be approved by the ministry and there is district health council input and involvement in any such transaction that occurs. So there is public participation to make sure there is no abuse of the system.

BEGINNING FARMERS PROGRAM

Mr. Riddell: Mr. Speaker, I have a question of the Minister of Agriculture and Food, if I can get his attention. I am posing this question on behalf of numerous young farmers and parents of young farmers who are shocked at the criteria established under the beginning farmers program.

Is the minister aware that he is excluding the farmers we should be helping with this program? The program excludes those farmers who have been renting land or getting the majority of

their income from rented land. How else can these young farmers start if they do not rent the land?

3:10 p.m.

Second, he is excluding those farmers from the program who got a start in the farming business within the last two or three years at a time when they were faced with escalating interest rates, something that was not of their doing. Will he amend the criteria in that program to help those farmers who are renting land and collecting most of their income from rented land so that those young farmers who started in the business over the last three years may benefit from this beginning farmers program?

Hon. Mr. Timbrell: Mr. Speaker, no matter which date we chose as the effective date for the new program, the honourable member would have been able to provide examples of cases where somebody fell outside of that date. We chose to go with the date of the budget this year in which the commitment to the program was finalized.

I would point out to the member that there have been a number of government programs in recent years that have assisted those very same people to whom he referred, who have been in farming for two or three years. I am thinking, of course, of the Ontario farm adjustment assistance program. Most of the participants in that program have been in the 18-to-40 or 45 age bracket.

With regard to the question of rented land, we tried to anticipate all of the objections or thorny issues, some of which we resolved in a way that the member would probably agree with and some he would not. We decided ahead of time in reviewing this matter to treat rented land the same as owned land because the basic criterion for a beginning farmer is one who has derived the majority of his income from and spent the majority of his time in farming, whether it has been on rented land or land he has owned—or that has been given to him, for that matter.

USE OF TIME IN QUESTION PERIOD

Mr. Martel: On a point of order, Mr. Speaker: Yesterday the member for Mississauga South (Mr. Kennedy) raised a question respecting question period. Question period went better today, but could I ask you to have the Clerk's table record the times for questions and supplementaries, separate them from answers and provide the House with a weekly or biweekly report so we will know who abuses question

period? Then maybe pressure can be brought to bear on those people who are abusing it so that back-benchers get the time for questions they got today.

Mr. Speaker: That is an interesting observation. In my unbiased position, sitting up here dead centre, I would have to say, as I said yesterday, that all members must share equal responsibility.

Mr. Martel: Are you saying you will not have the Clerk record those times and prepare a weekly report on it for the Legislature?

Mr. Speaker: I really do not see the need for it. We did that before, as you may know, and it just confirmed what I had already said: that it requires the co-operation of all members on all sides of the House.

Mr. Rae: On that point of order, Mr. Speaker: I would simply like to ask you to consider very carefully—and, if you will, it is a formal request from our party—that there be some timing mechanism with respect to questions and answers. I think such factual information would be very informative and would give us a factual basis on which to perhaps make some changes with respect to the question periods, which are a subject of ongoing discussion among the leaders of the parties.

Mr. Speaker: I must point out to all the honourable members that the assembly has spent a considerable amount of money on putting in clocks so that everybody can watch them and be aware of the time that is spent. I think the system is working well.

Mr. Sargent: Mr. Speaker, I am just going to ask the Minister of Energy (Mr. Andrewes) if he would come back to his place, please.

Mr. Speaker: Order. It is not really a point of order, and it is not even a point of privilege.

Mr. Mancini: Mr. Speaker, I want to point out to all members of the House that if there is any particular party being shortchanged during question period it is the Liberal Party, because we are the official—

Interjections.

Mr. Speaker: Order. Quite obviously the consensus of the House is that everybody is treated equally.

MINISTERIAL INFORMATION

Mr. Sargent: Mr. Speaker, the Minister of Energy has sent me a note. It says: "Eddie, I tried to arrange for the immediate delivery of your reading material. However, I can only

arrange for the truck and 85 boxes to arrive next Monday. I know you will be disappointed." It is signed "Philip."

[Laughter]

Mr. Sargent: This may be funny to members. I think it is very serious, in view of the fact that this man has one of the most important jobs or the most important job in Ontario today, and I suggest that significant events and happenings are matters of concern for the protection of the public. That is what they are. My concern is that an independent body be allowed to assess the screening of what Ontario Hydro does and does not consider a priority.

Interjections.

Mr. Speaker: Order, please.

Mr. Sargent: You can bounce me out if you want to, but I am getting the point across.

Mr. Speaker: No.

Mr. Sargent: He cannot do this to the people of Ontario, and make a joke of—

Mr. Speaker: Order. Would you resume your seat for a moment, please?

I would like to enlighten the honourable member. Obviously this is a matter between the member and a minister of the crown. I have no jurisdiction over what kind of information flows back and forth. I have no authority to intervene in any way, shape or form. I can understand what you are saying. Obviously, the minister and everybody else is aware of your problem now and I am sure it will be redressed.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. O'Neil: Mr. Speaker, I wish to table a petition, which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 337 teachers from the following schools in my riding: Prince of Wales Public School, Belleville; Marmora Street Public School, Trenton; Queen Elizabeth Public School, Trenton; Bayside Secondary School, Bayside; Belleville Collegiate Institute and Vocational School; Centennial Secondary School, Belleville; Quinte Secondary School, Belleville; Trenton High School; and Moira Secondary School, Belleville.

Mr. Sargent: Mr. Speaker, I have something they will be able to understand over there. I have a petition.

There are 66 teachers in West Hill Secondary School in Owen Sound, 48 in Owen Sound Collegiate and Vocational Institute, 32 in Warton District High School, 11 in Bruce Peninsula District Secondary School, seven in Chesley District High School and 44 in Georgian Bay Secondary School. I am presenting this petition on behalf of the teachers.

Mr. McClellan: Mr. Speaker, I beg leave to table a petition from 178 teachers in three of the high schools in the great riding of Bellwoods: Bickford Park, Central Commerce and Harbord Collegiate. It reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

3:20 p.m.

Mr. G. I. Miller: Mr. Speaker, I, too, have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which reads as follows:

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by 140 teachers from the following schools: Port Dover, Fairground, North

Walsingham Central, Port Rowan, St. Williams, Vittoria-Walsh, Walsingham and Simcoe.

Mr. R. F. Johnston: Mr. Speaker, as a member for a Scarborough riding who supports the petition of the teachers, I have the pleasure of introducing a number of petitions.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

I have petitions from these Scarborough-Ellesmere schools: David and Mary Thomson Collegiate Institute, Winston Churchill Collegiate Institute and Bendale Secondary School. As a member who supports their position in Scarborough, I have them from high schools in my own riding: W. A. Porter Collegiate Institute, Midland Avenue Collegiate Institute and Birchmount Park Collegiate Institute.

I have 65 pages of them from the riding of the Minister of Intergovernmental Affairs (Mr. Wells) in Scarborough North. Again, as I am the one member in Scarborough who supports them, I would like to introduce those 65 from the schools of Wexford, Lester B. Pearson Collegiate Institute, Sir William Osler Vocational School, Sir John A. Macdonald Collegiate Institute, Stephen Leacock Collegiate Institute, Timothy Eaton Secondary School and Albert Campbell Collegiate Institute.

I also have 35 pages of signatures from the riding of the member for Scarborough East (Mrs. Birch). Again, as the member from Scarborough who supports these resolutions, I have them from West Hill Collegiate Institute, Sir Oliver Mowat Collegiate Institute, Maplewood Vocational School, Sir Wilfrid Laurier Collegiate Institute and Sir Robert L. Borden Secondary School.

Last but not least, I am pleased to stand and support these petitions from the good riding of Scarborough Centre as well, from Tabor Park Vocational School, R. H. King Collegiate Insti-

tute and Cedarbrae Collegiate Institute. There seem to be no racing forms here at all.

Hon. Mr. Wells: On a point of order, Mr. Speaker: My friend the member for Scarborough West has introduced petitions from a number of schools that are not in his riding, the implication seeming to be that the members from those areas would not introduce the petitions in this House, which I think is an erroneous position. I think the record should show that all the petitions that have been forwarded to members of the government party have also been tabled in this House.

Mr. R. F. Johnston: On a point of order, Mr. Speaker: I did not indicate at all that the members would not present them. I indicated that I was the member who supported the petitions.

Mr. Bradley: On the point raised by the government House leader, Mr. Speaker, while it may be true that the petitions are introduced in the House, my understanding is that certain members on the government side will not themselves introduce the petitions from the ridings they represent and have instead given them to one individual member to introduce. Therefore, in essence the government members are not introducing the petitions from their ridings. Is that correct?

Hon. Mr. Wells: Mr. Speaker, I would just like to say that I have heard a lot of talk about streamlining the procedures of this House and getting on with the real business of this House. It is the opinion of the members on this side that it is a far better procedure to table the petitions in one bulk on behalf of all of us by one member than to take up the time of the House as we are doing at the present time.

Mr. Epp: Mr. Speaker, on a point of order: I wonder if the House leader would indicate whether this is a precedent and whether all petitions in the future will be submitted by one member.

Mr. Speaker: To try to clear up this situation, it is my understanding that ministers of the crown, by virtue of their position, cannot present petitions and other matters before the House. I hope that is clear. I might say neither can the Speaker.

Mr. Robinson: Mr. Speaker, on a point of order: On the same point indeed, I simply wanted to indicate for the record that I thank my friend the member for Scarborough West for introducing those petitions from the schools in my riding on my behalf and to say, had they

been presented to me, I would have done likewise.

Mr. Riddell: On a point of order, Mr. Speaker: I would simply like to know the reason the member for Wellington-Dufferin-Peel (Mr. J. M. Johnson) has been roped into presenting all the government members' petitions. Do they consider his seat safe?

Mr. Speaker: Order.

Mr. Ruprecht: Mr. Speaker, I have a petition with which I agree, and which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by over 236 teachers from five schools in Parkdale: Parkdale Collegiate, West Toronto Secondary School, West Park Secondary School, Shirley Public School and Parkdale Public School.

Mr. Roy: Mr. Speaker, the teachers in my riding called me and asked if I would present a petition on their behalf. I said, "Of course, I will." As their representative, I believe in democracy and I will present their petition.

Mr. Speaker: Now for the petition.

Interjections.

Mr. Speaker: Order.

Mr. Roy: I think it is shameful that the House leader would not allow individual members on that side to present their own petitions.

Interjections.

Mr. Speaker: Order.

Interjections.

Mr. Speaker: Now for the petition.

Mr. Roy: Yes. Mr. Speaker, you will be pleased to know the petition I have reads as follows:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:
Interjections.

Mr. Roy: Monsieur l'orateur, si vous voulez cela en français je vous le donnerai après . . . Monsieur le président, le ministre de l'Éducation m'a dit qu'elle veut un peu de variété dans sa vie, alors je vais présenter cette pétition ici, en français, si vous me le permettez . . . une en anglais et une en français.

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application"—of course, I agree that it has been inequitable in its application—"to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

3:30 p.m.

Mr. Speaker, I have 50 names from Fisher Heights Public School, Viscount Alexander School—that is on Canadian Forces Base, Ottawa, which Mr. Speaker is familiar with—and Elizabeth Park Intermediate School at CFB Ottawa.

I have a further petition from McArthur High School and Sir Wilfrid Laurier High School. There are 104 names on this particular petition, so there we are. I am pleased to present this petition.

Mr. Nixon: Mr. Speaker, I have a petition in the same terms signed by teachers from the North Windham Central School, W. F. Hewitt Public School in Waterford, Courtland Public School and North Townsend Central Public School.

Mr. Charlton: I have a petition addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario, which reads as follows:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have a similar

effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 512 teachers from Hamilton Wentworth from Westwood elementary, Lisgar elementary, Buchanan Park elementary, Fairview elementary, Cardinal Heights elementary, James Macdonald elementary, Comley elementary, Cecil B. Stirling elementary, Holbrook elementary, Civil elementary, Chedoke elementary, Richard Beasley elementary, Hampton Heights senior elementary, Lawfield elementary, Vincent Massey elementary, Highview senior elementary, Westover elementary, Inverness elementary, Norwood Park elementary, Burwood Park elementary, George L. Armstrong senior elementary, Lloyd George elementary, R. A. Riddell elementary, Mountview elementary, Sherwood Heights elementary, Ridgemount elementary, Huntington Park elementary, Thornbrae elementary, Peace Memorial elementary, Vern Ames elementary, Franklin Elementary and Ryckmans Corners Corners elementary schools.

Mr. Bradley: Mr. Speaker, I have petitions in the following wording to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario, as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe an extension of the act or measures which would have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

These petitions have 244 names on them. They are from the following schools; Oakridge, E. I. McCulley, Alexandra, Jacob Beam, Prince of Wales, Westdale, Lynn Garden, Briardale, Edith Cavell, Smith, Carleton, Lakeview, Colonel John Butler, Meadowvale, Power Glen, Lakebreeze, Ferndale, Parliament Oak, Maplewood, Victoria, Queen Mary, Central, Vineland, Lincoln Centennial, Gainsborough, Prince Phil-

ip, Crippled Childrens' Centre, Park, Burleigh Hill, Jordan, Memorial and Maywood.

Mr. Wildman: I have a petition to the Honourable The Lieutenant Governor and the Legislative Assembly of Ontario as follows:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which would have similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 43 teachers from Blind River Public School, Iron Bridge Public School, Spanish Public School and Rockhaven School at Serpent River. I am in support of it and also in support of the divisions which are developing within the Liberal Party with regard to free collective bargaining in this province.

Mr. Renwick: I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario in similar terms to those which have just been presented, signed by 43 members of the Eastern High School of Commerce in the riding of Riverdale.

Mr. Boudria: I have a similar petition signed by 78 teachers from Pleasant Corners Public School, Rockland Public School, Russell Public School, Plantagenet Public School and Cambridge Public School, all in the great riding of Prescott-Russell.

Mr. Swart: I would like to read into the record this petition from 159 teachers in our area:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore

our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

These 159 teachers are from Welland High and Vocational School, Westbrook Secondary School, Special Branch Allanburg, Resources Centre, Thorold Secondary School, Centennial Secondary School, Welland.

In tabling this, I just want to repeat one sentence made by the member for Ottawa East (Mr. Roy) when he said he is tabling them because he believes in democracy. I believe in democracy and tabling. All our members in our party believe in democracy so much that they should go further than that and give the free collective bargaining to the teachers.

Mr. J. M. Johnson: I beg leave to present several petitions to the Honourable Lieutenant Governor in the Legislative Assembly of Ontario. Under the circumstances, I should read this very carefully:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

As chairman of the governing caucus and on their behalf, I am tabling these petitions of my Progressive Conservative colleagues.

MOTION

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Wells moved that Ms. Copps and Mr. Mancini exchange places in the order of precedence for private members' public business.

Motion agreed to

INTRODUCTION OF BILLS

ASSESSMENT AMENDMENT ACT

Hon. Mr. Gregory moved, seconded by Hon.

Mr. Timbrell, first reading of Bill 90, An Act to amend the Assessment Act.

Motion agreed to.

3:40 p.m.

Hon. Mr. Gregory: Mr. Speaker, the purpose of this bill is to provide for the return of assessment rolls for municipal taxation at present levels of assessment, except where market-value-based reassessment has been introduced.

The bill will allow us to continue with the market-value-based reassessment program, which has been successfully implemented in 389 municipalities to date. Approximately 90 more municipalities are considering implementation of the section 63 reassessment program for 1984 taxation.

Further, this bill allows for the distribution of assessment notices only to those owners and tenants of real property in respect of which a change to any of the recorded information on last year's notice has occurred.

In addition, I am proposing in this bill an administrative amendment to clarify and update the provisions for an application by a municipality for a review of its equalized assessment and equalization factor by the Ontario Municipal Board.

EMPLOYMENT STANDARDS AMENDMENT ACT

Mr. Wrye moved, seconded by Mr. Riddell, first reading of Bill 91, An Act to amend the Employment Standards Act.

Motion agreed to.

Mr. Wrye: Mr. Speaker, this bill would have the effect of prohibiting all differentiation on the basis of sex in employee benefit plans. At present, the act permits differentiation on the basis of sex as provided in the regulations, and regulation 282 of the Revised Regulations of Ontario, 1980, authorizes a wide variety of differentiations based on sex and determined on an actuarial basis.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Riddell moved, seconded by Mr. Elston, that pursuant to standing order 34(a), the ordinary business of the House be set aside to discuss a matter of urgent public importance, that being the desperate financial situation facing the red meat industry in Ontario, particularly the beef sector which is in need of immediate emergency financial assistance, and the refusal of this government to provide any suit-

able relief, which will force many of these producers into bankruptcy.

Mr. Speaker: I beg to inform all honourable members that the motion Mr. Riddell has just moved was received at 10 a.m. I will be pleased to listen to the honourable member for up to five minutes on why he thinks the ordinary business of the House should be set aside.

Mr. Riddell: Mr. Speaker, I am pleased to see in the gallery a very prominent farmer by the name of Gerry Long, who farms in Middlesex county. I am sure he will be listening very attentively to this debate. I am also sure he will agree with the points we are making, because he happens to be in the beef business as well as in eggs and other agricultural endeavours.

To give some indication of the seriousness of the problem facing the red meat industry, I would like to compare it to an industry that this province lost a few years ago. At one time we had a thriving sugar beet industry in this province. Because it encountered some difficulties at a time when we were importing sugar cheaper than we could produce it, and because the government failed to come to the assistance of the sugar beet industry, we lost it to another province, namely, Alberta.

If this government does not come to the assistance of the beef producers now, we are going to find the beef industry moving to other provinces, and I do not think we do not want to see that happen.

If the members think it is a pipe dream that I have, I want to let them know that the task force of which I am a member, and which has been travelling all over the province, has listened to excellent presentations from the red meat producers in this province crying out for help now. They are taking very low prices. They are going to have to rely on the banks once again for their operating capital. If the banks see that this government is not interested in saving the beef industry in this province, they are going to be very reluctant to give the beef producers the kind of money they need to carry on.

Not only that, but the manager of the Canadian Cattlemen's Association, Charlie Gracey, tells me the situation is very serious: "It is now an emergency situation for beef producers." These are the words he stated to me. And in the words of Graeme Hedley, the manager of the Ontario Cattlemen's Association, "the situation is beyond emergency for many beef producers."

The red meat industry in Ontario is in desperate financial difficulty, and we are losing efficient and competent producers. Many of the

producers who are in trouble today were seen as aggressive and progressive farmers when they made their financial decision on the advice of the government and often at the urging of their banks a few years ago.

In the most depressed red meat sector—beef—we must have emergency assistance now. Cattle prices have declined from \$83 per hundred-weight in the second quarter of 1983 to a low of \$70 currently. Beef producers are losing between \$100 and \$150 for every finished animal marketed, and Ontario is the only province of those with significant production that is not rendering financial assistance to its industry.

Our beef producers are facing one of the worst financial situations ever. Many beef producers lost equity in the period of unprecedented high interest rates in 1981, they carried a high debt load in 1982 and today they have their backs against the wall. If some emergency assistance is not forthcoming for this year, many of them will not be producing next year.

The minister continues to shirk his responsibility to our producers by repeatedly talking about the need for a stabilization plan. He has taken this approach for the past two years, and we have yet to see this plan materialize. We are now told that any such plan would not be made retroactive for this year, which means this program will be useless to the farmers who need the assistance for this year's production, not to mention the past two years' production. Ontario farmers must be put on an equal footing with the farmers in other provinces, otherwise they can never catch up, if indeed they will ever survive.

The minister has dismissed outright our call for emergency assistance because of his concern that Ontario would be accused of bargaining in bad faith if he were to do so. We believe the approach of the Minister of Agriculture and Food (Mr. Timbrell) should rather be one of attempting to bridge the gap between the assistance we provide to our producers and that provided to those in other provinces by their governments. His arguments are not good enough for our farmers facing bankruptcy every day.

Mr. Speaker: The member's time has expired.

Mr. Riddell: While other provinces are building up their beef production, the government of this province is allowing our industry to be torn down.

Mr. Speaker: Order.

Mr. Riddell: Is that the end of my time? Mr. Speaker, I could really go on to tell you the seriousness of the problem, and I hope you will

allow this debate to go forward.

3:50 p.m.

Mr. Swart: Mr. Speaker, let there be no doubt that I and my party support the motion for the emergency debate put forward by the member for Huron-Middlesex. Members will recall that I called for a general debate on the serious financial situation in agriculture last May 31. Incidentally, the government said it was not an emergency and blocked that debate, and certainly the situation has worsened since then, particularly as it pertains to the red meat producers.

We all know about the crunch that the hog producers, the beef producers and, yes, the sheep producers are in at the present time, and we know it just by reading the daily papers and farm journals. We know, for instance, that hogs are selling at about \$62 now. The cost of production varies, of course, according to the amount of equity a farmer may have, but the average cost of production is about \$76, a deficit of \$14. Beef is selling for \$72 to \$75 and, although the beef producers have not gone as far in determining their costs of production, it is still costing around \$1 a pound or \$100 a hundredweight to produce the beef.

I have been meeting with the producers in certain parts of the province. I will tell the minister that experience can be quite traumatic. With many of them, it is no longer just an academic discussion relative to whether they are meeting their costs. I found there was either quiet, fatalistic desperation or exploding anger at the governments that let this sort of thing happen to them.

One middle-size hog producer, after explaining his financial situation in some detail, said to me: "If things do not improve, I will be through in six months. My eight years of work, of establishing my home, of practising my chosen profession, my way of life, will be destroyed and taken away from me."

This government stands condemned for its inaction in this regard. With great rhetoric, the minister proclaimed the \$60 million for the Ontario farm adjustment assistance program and then claimed to add another \$20 million. We know they have paid out only \$24 million out of that \$80 million and, even at the end of the program they will not have paid more than \$35 million.

There is no ad hoc farm program such as other provinces have—for instance, Saskatchewan and Quebec—to pay their beef producers

and the other red meat producers. There are no long-term loans as every other province has for its producers and there is less of the budgeted money of this province going into agriculture than there is in any other farm province in this nation.

There is no immediate hope for these farmers, nor does even the outlook in the medium term look very bright. With higher prices for grains, producers' costs are going to rise still further and the projection for meat prices is that they will continue at a low level.

The minister says he has finally arranged a stabilization program for four provinces and the federal government, but it is going to be the old, old story of too little, too late. The farmers need the help now, not further down the road. The farmers in need do not have the cash now to pay into a stabilization program. Such a program will not be adequate to meet the need.

The minister himself said he did not anticipate the cost would be much greater to the province than what is now being paid out in assistance programs. That amount certainly will not meet the need. They need emergency help. They need assistance now for steers or hogs and sheep.

I want to acknowledge that the federal government also has been grossly negligent towards the red meat producers. How long did Whelan stall? Why? His fellow Liberals would not give him the money, of course. Also, it was the high-interest policy of the federal Liberals that put the producers in the present bind, and this high-interest policy was defended by the member for Huron-Middlesex; so the provincial Liberals share the guilt.

This debate ought to proceed, however, because this provincial government is doing less than any other provincial government and, despite Ottawa's shortcomings, the minister here should be prepared to say what he is going to do now.

Hon. Mr. Timbrell: Mr. Speaker, quite frankly, in the two hours and eight minutes available to us this afternoon, we could not possibly begin to describe the complexities of the red meat industry in this province and the problems it is faced with. We could debate the matter for days, citing example after example.

We could touch on the problems, be they problems of the reduction in the cow herd of 20 some per cent in the past five or six years or the reduction in consumer demand for beef of more than 20 per cent in the past four or five years;

the problems associated with interest rates; the problems associated with competition in the North American market; or the problems associated with the competition with programs in other provinces. We could never spend enough time talking about the matter.

I want to suggest, though, that rather than taking those two hours and eight minutes to talk this afternoon, there is something constructive and positive which the members opposite could do and which would assist the beef producers in particular, and all red meat producers in this province. I will come to that in a second.

I should also add that the problems of the red meat industry are not confined to the producers. It is well known that in this province, indeed in the whole of the country and the continent, the meat processing industry is itself going through a very difficult period. It is currently operating at something between 60 to 70 per cent capacity, making some of the older plants in the province and the country completely outdated and cost-ineffective, leading to such matters as the recent decision by Canada Packers to cease slaughtering hogs and cattle in Toronto and to move those operations to Kitchener and Burlington.

When I became Minister of Agriculture and Food a little over 19 months ago, we had just paid out \$57 million a few months before in an emergency program for the beef industry. Even though it was so recent, already the question was being raised, "Are you going to do the same for 1982?"

I spent a lot of time evaluating the situation and concluded that repeating that program year after year would do nothing to address the problems of the red meat industry—the problems of the supply of calves, which bulls are used, whether they are indexed or just run of the mill—the problems of the meat processing industry and the problems of marketing beef in the province. We set out to do an in-depth analysis of the red meat industry, with particular emphasis on beef, and we have been involving all sectors of the industry in that analysis and in the development of proposals which members will see in the fullness of time.

Even more particularly in evaluating that situation, I determined that we had to go after a stabilization program. As members know, this is supported by the cattlemen's association and by countless individual producers in Huron, Middlesex, Grey and Bruce with whom I have met as recently, in some cases, as last week. They realize that what we are doing in the govern-

ment of Ontario is what is needed: to develop this stabilization program.

I have met with countless individual red meat producers and groups of red meat producers from time to time, and all of those meetings have given me the necessary encouragement and courage to carry on in the battle to get a stabilization program. There have been so many obstacles and delays in the process that it would have been easy to give up, point the finger at Ottawa and say: "We cannot do anything. It is all their fault." But we did not give up. We have sustained the effort.

I want to suggest that we should not take the time of the House this afternoon to just talk. Instead, I am going to send to the member for Huron-Middlesex the telephone number for the Minister of Agriculture for Canada. I would like to suggest that his time would be better spent and he would do more for the beef producers of this province if he would get on the phone—and he should give the number to all his caucus colleagues, because they are all members of the same party—and urge the minister to accept my call for the earliest possible meeting of the ministers of agriculture of Canada, Ontario, Manitoba, Saskatchewan and Alberta to give our approval to the accord on stabilization and get on with it.

Mr. Riddell: The fact of the matter is that you do not understand the problem.

Mr. Speaker: Order.

Mr. Riddell: What do the other provincial ministers do? The other provincial ministers did not sell their farmers down the drain. They helped their beef industry, and you are letting ours go down the drain—nobody but you.

Mr. Speaker: Order.

Mr. Elston: You have no backbone, Dennis. Do something important.

Mr. Speaker: Order.

Mr. Elston: "Do not talk to this Minister of Agriculture and Food." That's what you are saying.

Mr. Riddell: You are the only minister who is prepared to let our beef producers go down the drain.

Hon. Mr. Timbrell: You are stating something that is not true.

Mr. Riddell: It is as true as I stated.

Hon. Mr. Timbrell: As true as you stated—not very true.

4 p.m.

Mr. Speaker: Order. I have listened carefully

and with great interest to the submissions put forward by the members of all parties. I must rule that in my opinion the motion is out of order because of my interpretation of standing order 34(c)(i), which says very clearly, "The matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration."

I must point out to all honourable members that this has been a problem, as serious as it is, for a lengthy period of time. In my opinion, it does not meet with the conditions of the standing order.

Mr. Riddell: Mr. Speaker, I regret having to do this, but I have to challenge the ruling. It is an emergency situation. The beef producers must have help now. No stabilization plan will come into effect until next year, and it is this year, it is now, that the beef producers have to get help.

4:25 p.m.

The House divided on the Speaker's ruling, which was sustained on the following vote:

Ayes

Andrewes, Ashe, Barlow, Bennett, Bernier, Brandt, Cousens, Cureatz, Dean, Eaton, Elgie, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Henderson, Hennessy, Hodgson, Johnson, J. M., Jones, Kells, Kennedy, Kerr, Kolyn, Lane, Leluk, MacQuarrie, McCaffrey, McCague, McLean, McMurtry, McNeil, Mitchell;

Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Snow, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, G. W., Timbrell, Treleaven, Walker, Watson, Welch, Wells, Williams.

Nays

Allen, Boudria, Bradley, Breaugh, Breithaupt, Bryden, Charlton, Conway, Cooke, Cunningham, Di Santo, Eakins, Elston, Epp, Foulds, Grande, Haggerty, Johnston, R. F., Kerrio, Lupusella, Mackenzie, Martel, McClellan, McGuigan, Miller, G. I.;

Newman, Nixon, Philip, Reed, J. A., Renwick, Riddell, Roy, Ruprecht, Ruston, Samis, Spensieri, Stokes, Swart, Van Horne, Wildman, Worton, Wrye.

Ayes 57; nays 42.

4:30 p.m.

ORDERS OF THE DAY

OFF-ROAD VEHICLES ACT (continued)

Resuming the adjourned debate on the motion

for second reading of Bill 61, An Act to regulate Off-Road Vehicles.

Mr. Eakins: Mr. Speaker, I was speaking when the debate was adjourned on Bill 61.

Mr. Speaker: Yes, I realize that.

Mr. Eakins: I just want to follow along with a couple of comments following the adjournment of the debate last week.

I want to bring to the minister's attention the growing interest in this sport among many young people. It is a growing sport in the cottage country, where it is becoming very popular, but there are also some problems developing. I want to ask the minister if he is planning any restriction on the age of the operators of these machines. I do not see that in the bill, other than the age for ownership. I would also like to ask the minister just what plans he has for greater education in regard to the enactment of this bill and also for the use of these machines.

Generally those are the comments I would like to make. I would also suggest to the minister that perhaps there should be some committee input so that the various groups and organizations can bring to the minister's attention some of the concerns they have.

Mr. Philip: Mr. Speaker, his bill answers a problem I wrote to the minister about some time ago, and I appreciate that the minister is now responding to that need.

In Etobicoke, there has been a major problem with these vehicles, as the minister knows from correspondence I have sent him regarding resolutions passed by Etobicoke council and complaints I have received from constituents who are living close to the hydro corridors and also close to the valley lands.

The minister will recall that I also wrote to the Solicitor General (Mr. G. W. Taylor) about the problem because the police chief of Metropolitan Toronto and also local police officials in Etobicoke expressed concern that, while only a minority of users of these vehicles were creating a nuisance, they found it next to impossible to catch the few offenders and to stop the nuisance because there was no way of identifying the vehicles and a police car cannot pursue a fellow on one of these vehicles.

I simply want to say that this bill will be met with considerable enthusiasm by the municipal politicians in the city of Etobicoke, and particularly by me, because I happen to live right next to a corridor where some of my neighbours and I have been disturbed by a few offending

parties.

Mr. Riddell: Mr. Speaker, I want to say a few words about this bill. It has been indicated that we are going to support it, and I want to say at the outset that I appreciated the consideration of one of the ministry officials contacting me to get my view on the use of three-wheeled vehicles on farms. So I sent him a letter—although it was late in arriving on his desk, I understand—outlining the uses that farmers make of these three-wheeled vehicles, and I indicated to him that there was probably never a greater demand than there is at present on the part of the farmers for the 1984 models, simply because they now have a reverse gear.

The farmers find these vehicles extremely useful because of their flexibility. They can back the three-wheeled vehicles into a drive shed and move a piece of equipment out of the way in order to get at the next piece of equipment that may be stored behind it.

I also indicated that they use these vehicles to check fences, instead of using the horses they used years ago. Also, they not only use the vehicles to travel throughout the farm, but from farm to farm to check the crops for their stage of maturity or for disease that may be growing up, or for insect infestations. We even see the farmers using these vehicles to transport themselves from the farm on which they may be working with their big tractors, back home for lunch, then back to that farm again.

As the minister knows, many of our farmers own acres of land in different lots and they have to travel down the road with their big equipment to get from one farm to the next. With a lot of our farmers using these big four-wheel-drive tractors, once they get them in the field they prefer to leave them there rather than having to bring them when they go home for lunch and then back again. So we find that they are using these three-wheeled vehicles in order to transport themselves from one farm back to the home farm and back again after lunch or after dinner, if they are going to work until dark.

They also are using these vehicles to transport themselves from one farm to the next in order to check irrigation. I could go on and mention several other uses made of these vehicles.

In this bill, the minister is permitting the farmers to cross a road in order to get from one farm to another. But the fact of the matter is that these farmers—

Hon. Mr. Snow: Mr. Speaker, if I could just have a moment, I have asked that a copy of an

amendment be sent to the critic. This expands on the amendment I will be introducing when we get to the appropriate stage this afternoon, which will allow the three-wheeled vehicles exemption to go from farm to farm.

Mr. Riddell: I am pleased to hear the minister indicate there is an amendment. As I understand it, the minister is going to permit the use of these vehicles up and down the road if it is a case where the farmer has more than one farm.

Hon. Mr. Snow: I tried to make that statement earlier, but they would not give me the floor.

Mr. Riddell: That is fine. Once again, democracy is working. I want to thank the minister for taking some of our views into consideration.

Mr. Haggerty: Mr. Speaker, I want to address myself to Bill 61. I have written to the minister on a couple of occasions. He responded indicating that he would be bringing forward legislation to control the off-road vehicles. I appreciate his bringing forward the bill.

My concern is the nuisance they cause on private property and the noise that usually goes along with it. Some of these machines with the types of mufflers they have, and some without mufflers, cause a considerable amount of noise in communities.

I was concerned when I looked at the bill, where it defines highway. Clause 1(b) reads: "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed or intended for, or used by, the general public for the passage of vehicles."

The problem, at least from the complaints I have received, is that it is the youngsters more than anyone else who are using the vehicles to cross private property. Sometimes there might be a vacant strip of property or number of acres in a community with no one looking after the property. It is privately owned. But these people are making use of the property for their own entertainment.

Perhaps private property should be included in the same way as when a person gets a gun licence, to indicate that the person has the right, the privilege to hunt because of having a licence but he must obtain permission to enter private property.

4:40 p.m.

Hon. Mr. Snow: That goes without saying.

Mr. Haggerty: That goes without saying. That is what I am saying. I bring to the minister's attention that often there are private property owners who say, "It is great for the government

to issue a licence, but it does not give one the right to come on my property." I think there should be something in there to include private property so that when they do have consent from a private property owner who may have some extra land in the township, the county or the municipality, they do have a right to enter it without having a police officer go in and perhaps bother them with checking out their vehicles and even telling them to get off the property.

The other area I am concerned about is that it mentions here that "the purpose of this bill is to regulate the use of off-road vehicles, which include trail bikes and similar all-terrain vehicles but does not include four-wheel vehicles." I do not know whether that means four-wheel drive or four wheels. They happen to have what they call dune buggies down in my area, which are travelling up and down the roads, too, and they are going to places such as Sherkston Beaches. They are making use of a larger type of vehicle, particularly Volkswagens, that are stripped down.

Hon. Mr. Snow: They will be in here.

Mr. Haggerty: They will be in there. I do not know if it includes that or not. It says four-wheel vehicles. I do not know if it means a four-wheel-drive vehicle or not.

Then it comes to the point of four-wheel vehicles that are stripped down. The body may have deteriorated and, instead of repairing them, they still strip them down and use them for some type of land vehicle to get out and have some fun going through certain trails on property. I suggest that this is not quite defined in there and I think the government may have some difficulties in it.

Perhaps what we should be doing when we look at the trail bikes and the tricycle type of trail bike is looking at some way of controlling the size of horsepower or the number of cubic centimetres that a bike may develop. There are many young persons out there today who can get a trail bike and can have one that is really souped up, which may cause some difficulties to a youngster 16 years of age.

One of my younger boys purchased and still has a motorcycle at home and uses it out on the property I own at Sherkston. I suggest that sometimes if these bicycles are not controlled by the size of horsepower or cubic centimetres, they may cause some difficulties with youngsters 16 years of age.

My colleague the member for Huron-Middlesex (Mr. Riddell) mentioned the use of these trail bikes and the tricycle type of machine used on

farms. I think there are many youngsters on the farm who can go out and drive a tractor at the age of 12. The government is telling us here that they cannot drive a bicycle—

Hon. Mr. Snow: No, we are not.

Mr. Haggerty: It says 16 years of age.

Hon. Mr. Snow: If the honourable member would only read the legislation, he would know one has to be 16 years of age to own one, to register it, not to drive it.

Mr. Haggerty: I am having some difficulty with it and no doubt other persons will, but I am sure I read there that one has to be 16 years of age before he can own one. The minister is telling me now that a 10-year-old youngster can go out and drive one.

Mr. J. A. Reed: Right. At any age.

Mr. Haggerty: Is that not going to cause some difficulty?

Hon. Mr. Snow: Which way do you want it?

Mr. Haggerty: I am saying there are youngsters on a farm who handle a tractor. They are educated in the area, but I have seen some young tots—

The Deputy Speaker: I think the member is aware that this could be dealt with in committee.

Mr. Haggerty: That is correct, but I am thinking that my area may be different from other areas. Where Americans come in who own summer homes and cottages, their youngsters today are driving up and down roadways and they may be only about 10 or 11 or maybe even younger than that.

Mr. G. I. Miller: Seven or eight.

Mr. Haggerty: Somebody was saying seven or eight. I do not know what the ages are, but I think we are going to run into some difficulties there. I think any youngster who is seven or eight or 10 should not be permitted to handle it even on private property because he is going to have to travel on the roadway to get across certain pieces of property and it is going to cause some problems. I think there should be a specific size of the vehicle, cubic inch or cubic centimetre displacement, and the age factor should be spelled out. If it is a farmer's son or daughter, then it is a different area where consideration has to be given, but I do not think any youngster of the age of 10 or 12 should be able to handle any of these machines.

Mr. G. I. Miller: There is a point of clarification in regard to the licensing of off-road vehicles. We had an incident in our area where

an older chap, I believe he is 76 years old, had a three-wheel Honda with off-road tires. He had a safety check with the turning lights, proper brakes and everything to meet the standards of the Highway Traffic Act. He was licensed under his driver's licence. After he was able to do that, they came along, checked it out and indicated that because of the off-road tires he was not able to use it on the road right of way.

I believe he had to go to court, but after discussion with the people in the ministry, I think perhaps they were reasonable and I do not believe he had to pay the fine, but it did put him to a lot of trouble and concern because the vehicle was licensed. I believe there were several hundred licensed under the same provision and they were hassled because the tires were stamped off-road tires. They are the only tires available for the Honda bike, according to the information he provided to me. He has checked it out across the United States and with the company itself and there is no other tire available for use on this particular machine.

I wonder if the minister would like to comment on that. Is that going to be clarified under this new piece of legislation?

Mr. McGuigan: Mr. Speaker, I am very glad to see the minister has brought about this amendment to allow farmers to move from farm to farm.

I just want to point out an item in the legislation, and I think it is very fine that is there, about persons in the business of repairing, customizing, modifying and transporting off-road vehicles. My concern is that this is going to become a very popular vehicle. I would predict that it will take the place of most snowmobiles, at least in southern Ontario, where we have variable conditions as to whether or not there is snow. It is going to find a lot of use on farms, in businesses, semi-businesses, racing and all those sorts of things.

I am concerned that when the customizing people get hold of these vehicles, they will step those motors up to as high as 18,000 revolutions per minute, which they have done now in motorcycles. I was watching some people engaged in hill climbing on TV the other day and they had an ordinary motorcycle up to 250 horse power with revolutions per minute of 18,000. When these people move in with such a popular vehicle, it seems to me they will be setting up some very dangerous situations for some of the children and others whom members have mentioned.

I simply mention this as something we should

be cautious about and be ready to move if and when that happens.

Mr. Cunningham: Mr. Speaker, I am grateful that some of my colleagues have helped with this legislation in my absence.

I have several concerns and I want to put them on the record so that the highly qualified, hard-working staff of the minister, who are somewhere to his left, will contemplate in the fullness of time possibly some amendments to this legislation to correct what I consider to be several deficiencies. I would not say or be presumptuous for a moment to suggest I have all the answers to the problem, but the major problem I see relates to the age of the persons who can get their hot little hands on what I would characterize as trail bikes.

4:50 p.m.

I know many municipalities in Ontario have been most concerned about the inability of their police forces to deal with the people who drive these vehicles. Sometimes they drive at all hours of the night and morning through cottage areas, farms and urban areas.

No amount of legislation we can bring forward in this House will inflict a sense of responsibility on these people or on their parents. However, I think we will have to have a very extensive communications program with municipalities and police forces specifically to outline the responsibilities the owners of these vehicles are going to have.

One of the major problems I sense we are going to have with implementing this legislation involves the provision of insurance. I know of no law in Ontario that will force upon the insurance companies of Ontario or Canada a requirement to write insurance to cover the activities that would be associated with the operation of these vehicles.

In the absence of that power—and I am not suggesting necessarily that we have it—I anticipate there are going to be very few companies in the private insurance market that will want to get into this business. I know, Mr. Speaker, you have had some modest experience in the insurance business and would understand it is still a profit business. I heartily concur with that.

It may not be profitable for insurance companies to involve themselves in underwriting insurance, particularly liability insurance, for the operation of these vehicles. Without that I sense the general public can be at risk, and we will have a number of serious problems.

For example, a situation could arise where a

16-year old has gone through the proper process of obtaining his permit and, wisely or unwisely, allows his 13-year-old friend to operate his vehicle. That individual, perhaps without the benefit of any kind of experience with such a vehicle, then becomes involved in a very serious tragedy. The cost and damages associated with that, even the hospital bill itself, could be horrendous.

I do not think there is a constituency in this Legislature where there has not been either a fatality or a very serious injury to a youngster. It is primarily youngsters we are talking about who are operating these vehicles. A child in my own constituency with a three-wheeled vehicle was impaled on the handlebars. I cannot think of anything that could be more horrendous than that.

I see that as a major problem. I would be reticent to see a piece of legislation taking away the fun some people find in operating these vehicles. However, we as legislators may have a responsibility to determine that these vehicles should not be available for use by young people of a certain age.

We do this, of course, with motor vehicle operator's licences for cars and trucks. We impose an age limit for the franchise in elections and also for the consumption of alcohol. These are judgement decisions we make. I think no less a standard should be applied when we contemplate the licensing and use of these vehicles.

That, very simply, is my primary concern as the critic. I want to take a moment, as I always do, to commend the minister for bringing in this legislation. It is not exactly a box of chocolates to deal with the various groups that have opinions at variance with the legislation.

I would say, in conclusion, that I hope the minister, his staff and the staff of the Solicitor General, who is here today and listening, as always, very intently, will endeavour to work with the OPP and, more particularly, our municipal police forces to ensure that they make an effort to enforce this legislation. All too often when we pass legislation in this House, we leave the building feeling we have discharged our responsibilities and everything is all well and good and, of course, such is not the case.

I would reflect on our experience with seatbelts where there may be some differences of opinion, but generally I think the compliance level with seatbelts is somewhere in the area of—what would it be?—maybe 60 per cent or 65 per cent or thereabouts?

Interjection.

Mr. Cunningham: Lower, unfortunately, is indicated to me by the Solicitor General, which is a very great disappointment. We have enacted legislation that deals with restraint devices for youngsters and—

The Deputy Speaker: I remind the member that I have been very lenient about having some leeway on the principle of the bill. I wonder if he is not getting away from the bill.

Mr. Cunningham: Mr. Speaker, I am mindful of your admonition. I would conclude by saying the point I was trying to make very simply was that this legislation is of very little use to us if it is not enforced. We have a statute on the books right now pertaining to the use of seatbelts and child restraint devices that the minister and I know is not enforced; for those people who are involved in accidents and are not using them the legislation is of absolutely no value to them.

The point I am making to both the Minister of Transportation and Communications and my friend the Solicitor General is that we expect and we anticipate that an aggressive effort will be made to enforce this legislation, not only for the protection of the people who use these vehicles, but also for the protection of people who may be run over by them—and I can state from personal experience that almost happened to me—and the people who live in areas where it has been the tradition of the owners of these vehicles to run wild through the trails and the woods, making all kinds of noise and disturbing other people.

Those are my comments on the legislation.

Hon. Mr. Snow: Mr. Speaker, I thank the honourable members for their comments with regard to Bill 61 and the amendments I have forwarded, unfortunately not to all members of the House or they would have been aware of them, but certainly to the official critics who have had the opportunity to be briefed on these matters and how we propose to deal with them.

Many of the members mentioned similar concerns and problems, mainly the one of insurance. That matter has been and is of concern to me as well, that insurance be available for these machines. I have every reason to believe it will be.

I have agreed to an amendment to the bill, which I will introduce, that will set back the date for the requirement of insurance from June 1 to August 1, 1984, as it is my understanding that the insurance companies come down with their rates and schedules for this insurance on these types of vehicles and on snowmobiles and so on

on July 1 each year. I think we can accept that delay in the requirement for insurance to give a little more time to make sure the insurance industry is ready and has the time to bring down reasonable rates for this coverage.

5 p.m.

I have every reason to believe that the insurance industry will respond to this requirement. I know the concern when the moped legislation was introduced about the requirement for insurance; the insurance came out quite high and that was reduced at a later time. I am hoping that will not happen on these but, of course, I do not have control over the insurance industry.

There was some comment about the provision for regulations in the bill. That is necessary, I think everyone would agree, especially with this type of vehicle. We have not specifically included in the bill other than the two- and three-wheel vehicles. Now, all of a sudden, there is a new beast on the road with four wheels and other things that have six wheels, and probably in the near future there will be one on eight wheels. We have proposed that this legislation cover the two- and three-wheel off-road vehicles with provision for specifically bringing under the control of the bill these unusual beasts as they arrive on the market. It would be almost impossible to deal quickly with the situation by way of changing the bill every time, but it can be handled in regulations.

My colleague the member for Cornwall (Mr. Samis) mentioned the northern Ontario exemption. We propose to have the exemption similar to that in the snowmobile legislation. In other words, the area north of the Canadian National Railways main line, which I believe is the line that is used, will be exempt under the act from licensing and so on. Basically, that will allow these vehicles to be used in the Indian reserves and so on, where quite often they are a very good method of transportation. Basically, with the proposals in this legislation, we have tried to parallel the snow vehicle legislation as closely as possible for enforcement purposes and so on.

When it comes to private property, the operators of these vehicles will be under the Trespass to Property Act, which was passed a few years ago and which sets down the rules as far as trespassing on land is concerned. It will apply to these vehicles the same as it does to snowmobiles. Such things as dune buggies and these home-made contraptions also can be brought under the legislation by way of regulation.

We propose to exempt certain classes of

vehicle that can be considered to be vintage motorcycles where a person who may own half a dozen or a dozen of these things does not drive them on private property, in parks or on public property. A collector of vintage motorcycles may use them only at displays or at meets. It is proposed to exempt the vintage make. If somebody comes along and says, "Everything before 1980 is vintage," I will not agree with him; but the real vintage machines would be exempt.

Also, we propose to exempt organized meets of clubs where they take the vehicle on a trailer or a pickup truck. If they use it only at the meet and not outside of an organized meet, we would exempt that particular meet. This would get away from some of the problems of the honourable member who was worrying about one-day permits for somebody coming across from another province into Ontario. If they were coming across for a meet, they would not require a one-day permit. We do not propose to have one-day permits, but we probably have, in the regulations, a way of dealing with out-of-province vehicles.

Age limit is something that has been of concern to us all, and several members have mentioned it. We do not have an age limit for the operation of these vehicles. We do not have an age limit for the operation of an automobile on private property or of a truck, a tractor, a snowmobile or anything else.

Interjection.

Hon. Mr. Snow: I do not know what the member is saying. I ask him to please wait until we get the regulations.

Anyone driving these across the highway or down the highway, under the exemption, has to have a driver's licence and be 16 years of age.

I know, I was driving tractors, trucks and everything else, long before I was 16 years of age, on my father's farm. I do not think we want to bring in a regulation that would prevent that from happening.

I believe we do need an age limit for ownership of the vehicle. It means that if a youngster is going to drive one of these vehicles, the parent or someone over the age of 18 has to be responsible for it and has to have it registered in his name. A person under 16 years of age cannot go out to buy one and have it registered, because he cannot have it registered in his name; it must be registered in the name of someone over the age of 16.

I think that this answers most of the comments. When we move into committee, there

will be other things to be discussed, no doubt, as I introduce the four or five amendments I have.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

OFF-ROAD VEHICLES ACT

Consideration of Bill 61, An Act to regulate Off-Road Vehicles.

On section 1:

The Deputy Chairman: Hon. Mr. Snow moves that subclause 1(f)(ii) be amended by inserting, after "activities" in the second line, "there."

Hon. Mr. Snow further moves that clause 1(g) be struck out and the following substituted therefor:

"1(g) 'Off-road vehicle' means a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel (i) on not more than three wheels or (ii) more than three wheels and being of a prescribed class of vehicle."

Hon. Mr. Snow further moves that clause 1(h) be amended by inserting, after "constable" in the first line, "municipal law enforcement officer."

Mr. Cunningham: Mr. Chairman, the customary habit here, as a matter of courtesy, is to give us a copy of the amendment.

The Deputy Chairman: Have copies of the amendments been circulated?

Mr. Cunningham: I have copies of some, but I do not believe I have that one.

Hon. Mr. Snow: I am sorry. These amendments were delivered last week and they were redelivered today, I am told.

5:10 p.m.

Mr. Samis: Mr. Chairman, we will support all three amendments. I especially commend the minister for making the amendment in clause 1(g) and responding to the correspondence he received from various groups and individuals on that.

The Deputy Chairman: Does the member for Wentworth North (Mr. Cunningham) have a copy of the amendment now?

Mr. Cunningham: Yes, thank you.

Motion agreed to.

Section 1, as amended, agreed to.

On section 2:

The Deputy Chairman: Hon. Mr. Snow moves that section 2 of the bill be amended by adding thereto the following subsection:

"(2) Notwithstanding subsection (1), and section 7, subsection 18(1) and subsections 44(1), and (3) to (26) and (28) to (32) of the Highway Traffic Act, a holder of a driver's licence issued under section 18 of the Highway Traffic Act who is not contravening any provision of this act may drive an off-road vehicle,

"(a) directly across a highway if the vehicle is designed to travel on not more than two wheels, or

"(b) on a highway if the vehicle is designed to travel on more than two wheels, the driver is a farmer using the vehicle for agricultural purposes, and the vehicle or a vehicle drawn by it bears a slow-moving vehicle sign.

"(3) Subsection (2) does not apply to a motorcycle with a sidecar, a farm tractor, a self-propelled implement of husbandry or a roadbuilding machine as defined in the Highway Traffic Act, or to off-road vehicles that are exempted from section 3 of the act by regulation."

Hon. Mr. Snow: Mr. Chairman, this is the amendment I said I would be bringing in to deal with the use of the three-wheeled vehicles for farm purposes.

Mr. Cunningham: Mr. Chairman, we will support the amendment, and I commend the minister for bringing it in. In the first section of the act, under definitions, I do not see a definition for a farmer, and in my experience in this House I am not familiar with one, but I wish him well none the less.

Mr. Samis: Mr. Chairman, we will support it.

Motion agreed to.

Section 2, as amended, agreed to.

On section 3:

Mr. Boudria: Mr. Chairman, I have an amendment to section 3, which I am circulating now.

The Deputy Chairman: Mr. Boudria moves that section 3 be amended by adding subsection 4:

"(4) Except under subsection 3, no person under the age of 14 years shall drive an off-road vehicle."

Mr. Boudria: Mr. Chairman, the purpose of this amendment is to eliminate the situation which we have now where children six, seven and eight years old are driving these vehicles and will continue to drive them unless we have an amendment like this or one similar to it.

One of the unfortunate things we have seen over the past few years is the injury and death of small children. As good as the proposed legislation is, unless we have some restriction as to the age of the young people who can drive them we

are still going to have these very serious injuries. I very much recommend to the minister that we have an amendment such as this passed.

The reason I would like to exempt subsection 3(3) is so that "where the owner of the vehicle is the occupier of the land" would cover cases where a 13-year-old or 12-year-old farmer's son may be able to assist his parents on the farm. It would exempt farmers by having this exception for subsection 3(3). Otherwise, everyone else would have to abide by the minimum 14 years of age amendment.

Mr. Samis: Mr. Chairman, we will support the motion.

Mr. J. A. Reed: Mr. Chairman, this motion brings to the fore an obvious need to clarify just what constitutes submission to either the Highway Traffic Act or other laws that apply.

Some of the problems occur in off-road vehicles with very young children in cottage country driving over what are probably commonly owned private roads into cottages and so on. Quite frankly, this member does not know whether, for instance, the provisions of motor vehicle licensing or the provisions of the Highway Traffic Act apply to those roads; or are vehicles not required to be licensed and insured and driven by people of a certain age there? There is some question.

This is one of the areas where the major problem does arise and where some of these injuries and fatalities have occurred. I wonder whether the minister can enlighten us.

Hon. Mr. Snow: Mr. Chairman, it is my understanding that the Highway Traffic Act does not apply to a private road.

Mr. J. A. Reed: Assuming that is the case, it is obvious that some sort of control over the age of the driver becomes important.

Mr. Cunningham: Very briefly, Mr. Chairman, I would like to speak in favour of the amendment offered by my colleague.

I really do feel we are responsible for implementing an age standard with regard to these vehicles. They travel at great speed. They are rarely used on the well-designed, well-engineered highways that we have in Ontario. They are used on trails, up creeks, around bends, over rocks or among trees. It is mind-boggling that we would permit that kind of activity, which could involve a youngster of seven, eight or nine years old, or perhaps even younger. But the minister would have more information on this than I have.

If we pass this amendment, I realize we are all

going to get letters from people saying: "I bought young Charlie a bike. He is age 11 and is the best kid in the world and really knows how to operate this thing." That may well be the case. However, I suggest that for every kid who may have a sense of responsibility there are probably half a dozen or a dozen sitting out there who really like to get these things wound right up.

5:20 p.m.

On my trip home in the evenings, I pass a section of property that the minister may well be familiar with. It is in the city of Burlington, in the northern part of King Road. It is owned by a brick company that the minister also has some acquaintance with, I believe, that operates in that area. For one reason or another, they allow people to use these dirt bikes throughout the entire area.

Hon. Mr. Snow: It is a tile company.

Mr. Cunningham: It is a tile company, that is it. I think Mr. Nu is the president of the company. I think the minister has some passing understanding of Mr. Nu.

Hon. Mr. Snow: A very generous man.

Mr. Cunningham: He is a wonderful man and I understand he participates in the election expenses process regularly and generously in some constituencies—but not mine. However, that is not relevant to the discussion of the bill.

For reasons I cannot understand, Mr. Nu and his company permit a great collection of people to use these vehicles. I must say that as I drive by, invariably working my way back to Carlisle, Ontario, I see these guys and they are backing these little trail bikes off trucks with little ramps. Obviously somebody with a driver's licence has got the truck to that point. But these guys look like little gladiators. They have shin pads and hip protectors and shoulder pads. They look like Ronnie Stewart used to look like when he played for the Ottawa Rough Riders. They have helmets and face guards—the smart ones have helmets. I have seen a lot of them driving around without a helmet, which bothers me just more than just a little bit.

They go tearing through this property that Mr. Nu has the responsibility of administering, at incredible speeds. It almost reminds me of the James Watt Memorial Park; there is hardly a living thing left in it because these little guys have desecrated it all. No living thing, with the exception of some weeds and few trees they have not hit, remains in these clay pits.

If I had the time I would go down to the

emergency ward of the Joseph Brant Memorial Hospital, which is the closest medical facility to these clay pits, and I might inquire just how often and how frequently we get people who have been wheeled in to the emergency ward all banged up after some kind of disaster out on these clay pits.

I am of the view that when one reaches the age of 14, 15 or 16 one starts to develop a little common sense. That is one of the reasons one is allowed a driver's licence at age 16. That is one of the reasons why drinking is allowed at age 19, and responsibly, I hope. At 18, voting is allowed. I am not quite convinced that at age seven, eight or nine—or even less—these people should have the responsibility for operating these vehicles, which can go at absolutely incredible speeds.

I referred in my previous comments to the difficulties we have with not only the people who operate the bikes, but people who would be walking through the woods, or walking through the area, or walking on a cottage lane.

The minister should know I had a call from a gentleman who worked in the civil service. He was complaining to me and once he got this bill he was happy with most of it, but he was concerned about the lack of an age requirement in it. He complained that some of these youngsters would just absolutely terrorize people on the roads to his cottage and around his cottage. He endeavoured to ask these young gentlemen, all of whom I think were under the age of 14, if they could just sort of calm down a bit. About five or six of them endeavoured to—"punch him out" I think was the phrase he used. That may be a comment on some of the kinds of individuals who use these bikes.

I hope the minister will give very serious consideration to this amendment. I think it would make a great deal of sense.

Mr. Boudria: Mr. Chairman, if I may just add a few more words, with the indulgence of the House, I was just looking over the Motorized Snow Vehicles Act. Under section 8 of that legislation there is the restriction of 16 years of age for someone to drive on the public highway, a restriction of a minimum age of 14 to cross a public highway and a minimum age of 12 in order to drive on a public trail.

If one pictures the situation, it would be the following. We would have a situation under the present bill whereby a six-year-old could drive a three-wheel motorcycle in the summer on the same trail that is used in the winter for snowmobiles. At six years of age it would be perfectly all

right for him to do this. As we know, some of those all-terrain vehicles are used both summer and winter. In the winter he would have to park it because he is not old enough to drive it in winter, but he is old enough to drive it in summer. That is just ridiculous.

The present situation is that a child is not old enough to drive one of these vehicles in winter when at least if he falls down, presumably he falls on soft snow rather than hitting his head against a rock in the summer. We have a situation where in the summer, as long as he could walk and get on the machine, he could really drive it. There is nothing that we are doing as legislators to prevent that.

In conclusion, I would just like to urge the minister again to have some sort of age restriction. If he does not deem 14 years of age to be appropriate, I would fully concur that perhaps some other age be used, be it 15, 13 or whatever. The situation we have now is that these micro-mini models of those machines can be driven by a six-year-old or seven-year-old because of their physical size. I just think that is ridiculous and I ask all honourable members to consider my amendment.

Hon. Mr. Snow: Mr. Chairman, I have listened intently to the suggestions of the honourable members. Under the Motorized Snow Vehicles Act, as the member has quoted, I did not take the time to look it up explicitly but certainly it does require 16 years of age to travel on a roadway, 14 to cross and an age limit for the public trails. As I understand it, there is no age limit when one is off a public trail. If one is on a lake or on private property which one owns or other people's private property with permission, one does not have an age limit.

I would be very concerned with six-year-olds and so on handling these machines. There is such a great difference in the machines. They can be 100 cubic centimetre machines, very light and not very powerful, or there are the ones that are 300 cubic centimetres. That is about the largest one I know of in this three-wheel type of machine that we are talking about. They can be quite powerful and they can travel 40 miles an hour or so at top speed.

The problem is to enforce any type of legislation on someone under the age of 16 unless they have a driver's licence, unless we extend the driver licensing system to license 14-year-olds or to have some proof of age. I understand what the members are saying, but I do not want to get us into something here that kills the whole act and the enforcement of it.

To drive snowmobiles on a trail one has to have a motorized snow vehicle licence. There is a training program set up by the snowmobile clubs and the federation, through my ministry, where they give training, do tests and grant a snowmobile operator's licence to those who are 12 years of age and over.

Mr. J. A. Reed: What is the difference?

Hon. Mr. Snow: To my knowledge, the difference is that there are no recognized organizations, clubs or anyone else that would be prepared to do that for these machines.

5:30 p.m.

Interjection.

The Deputy Chairman: There is an opportunity to respond.

Mr. J. A. Reed: I would respectfully submit to the minister that there are indeed organizations—I have correspondence from them right here—and if that kind of proposition was put to them, if that is what it would take, I do not see any reason the same kind of co-operative spirit could not apply here as applies to snow vehicles.

As my colleague the member for Prescott-Russell (Mr. Boudria) quite correctly pointed out, under this proposed legislation, something a person can do on a vehicle in one season of the year he cannot do in another season of the year on what may very well be the same vehicle.

Mr. Cunningham: Mr. Chairman, I would like to seek a commitment from the minister; maybe we can get some understanding here of how we might sort this out.

The minister stated that because of some difficulties with the insurance industry we will not be able to have schedules of rates until some time in August, 1984, so that the force of the act is not immediate; which is unfortunate.

I would ask this—and maybe the minister can make a commitment to us this afternoon—in the time that transpires between now and then, would the minister take it upon himself to have officials from his ministry consult the appropriate section of the Ontario Medical Association, be it the neurologists or be it the orthopaedic section of the Ontario Medical Association?

Would he endeavour to meet with the groups that my colleague the member for Halton-Burlington (Mr. J. A. Reed) just made reference to, to seek their opinion on the value of implementing an age standard that might be workable and realistic?

The minister is very correct in his assumption that we are going to have difficulties in the context of enforcement when these young peo-

ple to whom we are referring do not have licences. That does not stop us from making some kind of provision for a fine for them. I want the minister to know this and I want him to understand this as clearly as I can say it to him—we are going to have a lot less difficulty with the insurance industry in developing reasonable rates for the people who want to use these vehicles if such an age limit were to be brought into effect.

It will be far easier for the actuaries and the underwriters of that insurance to develop an understanding of what kind of damages they might anticipate if they knew how young the drivers of these vehicles might be. As members have heard, there is absolutely no limitation in terms of power capacity on them, so it is not inconceivable that a six-year-old could be on an 800 cubic centimetre vehicle if he or she could get it off the kickstand.

That is something we have to think about. I ask the minister's commitment to contemplate that and to endeavour, if he is not prepared to favour this amendment at this time this afternoon, to give a commitment to contact the Ontario Medical Association, particularly the neurological section and the orthopaedic section of the OMA, and also the appropriate groups that might act as instructors in the use of these vehicles, to determine whether or not we have a very real problem with physical damage to youngsters below the age of 14, and the extent of it, and contemplate bringing in an age standard.

I think deep in the minister's heart he understands that is probably the right thing that we should be doing.

Hon. Mr. Snow: Mr. Chairman, I am quite prepared to look at the age. I just do not feel in my own mind and heart that 14 years is the right age. I just don't. I think we would be doing an injustice to a great many young people if we were to pass such an amendment. On the other hand, I certainly do not believe that seven-year-olds or eight-year-olds should be running around on these machines either.

Mr. Nixon: How about 10?

Hon. Mr. Snow: The member says 10. Perhaps 12 might be a better age. I do not know.

Mr. Boudria: Let's make an amendment to the amendment.

Mr. J. A. Reed: Will you contact the association?

Hon. Mr. Snow: I am a little confused. To

contact a medical association to get advice on what age we should put in to drive a vehicle—

Mr. Cunningham: The minister was asking questions and I would like to respond. Maybe we will have it some day. I am just young enough that perhaps it might happen in my full life.

I think we should spend some time with the people who run the emergency section. Perhaps we might take half an hour or an hour out of our day to go and see the brother of our Attorney General (Mr. McMurtry) at the emergency section at Sunnybrook Hospital and talk about the kinds of injuries these people get to their heads, their brains, their arms and their legs, the internal injuries they get and the kinds of paralysis some of them get.

It happens to be the harsh fact of reality. Perhaps I am wrong—it has happened before—but I happen to think that when people get just a touch older they get a little more responsible and get a little more experience. From a physiological point of view, they get strong enough so they might even be able to maintain the vehicle a little better and keep it on the road or on the trail a little better. They might avoid some of the situations we have endeavoured to describe to the minister as graphically as we can this afternoon.

I know this amendment may come as a big surprise to the minister, I know it may be difficult to work out, but frankly it is something that would make this bill 100 per cent better. If we do not do it, the harsh facts of reality are that we are going to pick up the paper and we are going to find out that a nine-year-old has impaled himself or herself on one of these vehicles. If we had passed a law or entertained this amendment this afternoon, that may have not happened. If it was just one child, it might well have been worth while.

I would suggest we are not just passing this legislation to be in operation for a year or two, or a temporary period. This is something we would hope would apply for a long time and, consequently, a lot of lives could be saved.

The Chairman may want to rule me out of order as I compliment the minister and his ministry for the work they have done with seatbelts. As I read his little notice the other day in relation to child restraint devices, I was mindful that since 1975 to the present we have reduced the number of fatalities by approximately half. That is something the minister, his ministry, his officials and all of us who voted for the legislation should take some pride in.

I implore the minister to contemplate

supporting this amendment this afternoon or, at the very minimum, to make a commitment to seek some professional advice from the Ontario Medical Association with regard to the extent of damage, terrible, tragic damage, that is being done to so many young people who are dealing with these high-powered vehicles.

Hon. Mr. Snow: Mr. Chairman, I have a little additional information from my staff on this. I am not saying it will solve the problem for us at all. During the process of this legislation we apparently had correspondence from the paediatric intensive care unit at McMaster University Medical Centre. They wrote to us of their concern about the legislation and inquired regarding the requirement for helmets. It made no mention of the driving age in the correspondence.

More appropriate or more meaningful perhaps, there was, as the member knows, a double fatality in Victoria county, I believe at Minden, involving one of these vehicles and there was an inquest. Mr. McCombe from my ministry attended that inquest.

Mr. Nixon: They were driving on the road.

Mr. Cunningham: It was a highway traffic violation.

Hon. Mr. Snow: Yes, I believe it was an accident involving one of these little vehicles in collision with a car. They had an inquest and Mr. McCombe attended that inquest on behalf of the ministry. He tells me that the leading expert at that inquest, Dr. Simpson, who heads the Traffic Injury Research Foundation of Canada, told the inquest that he did not feel driver licensing for juveniles operating these machines was an appropriate answer. He also said he was unable to recommend any specific suitable age.

5:40 p.m.

Just to bring this matter to some conclusion, I understand the concern of the members. I have it to some degree myself. Even though my staff have a lot of concerns about how this can be enforced properly, I am prepared to consider an amendment to put in a minimum age, but I would like to suggest that it be something more in the area of 12 years with the provision that we will consult everyone over the next few months. If we find there are good reasons for that to be adjusted, I will bring back some amendment in the spring that we would discuss and, hopefully, put through in five minutes.

Mr. Cunningham: Mr. Chairman, on that note, I would graciously thank the minister for

his consideration in that regard. It almost reminds me of the days of minority government.

Hon. Mr. Snow: I am not accepting the specific wording of my colleague the member for Prescott-Russell, but legislative counsel will draft the amendment and give it to the Clerk's table to implement, if that is satisfactory, on the age of 12.

Mr. Boudria: That is satisfactory to me. I really appreciate the minister passing that amendment and I think the legislation will be much better for doing it.

Mr. Chairman: Shall section 3 then be passed as amended?

Hon. Mr. Snow: Mr. Chairman, my legal staff over here have some modest recommendations to the resolution of the member for Prescott-Russell, putting it in more legalese, the same thing exactly, as I read the two. I have trouble reading both their writing. Lawyers never could write so that one could read properly.

Interjections.

Mr. Nixon: The minister is not suggesting we pass it as amended until we amend it?

Mr. Cunningham: Perhaps we should stand down this clause.

Mr. Chairman: We will stand this section down with agreement.

Sections 4 to 8, inclusive, agreed to.

On section 9:

Mr. Chairman: Mr. Boudria moves that section 9 be amended by adding a clause 9(c) that would state that clause 9(b) shall not apply to organized racing competition.

Hon. Mr. Snow: Mr. Chairman, it is proposed that the racing competition would be exempt from this act, so I do not know why it would be necessary to put that in.

Mr. Boudria: I will tell the minister what the purpose is, and if the amendment is unnecessary, I will gladly withdraw it. This particular section of the act has to do with keeping the numbers of the licence plates clean at all times, which is not necessarily possible in the case of a race of dirt motorcycles. If the minister can indicate to us where else the same could be accomplished, I would be willing to withdraw the amendment.

Hon. Mr. Snow: As I said to the honourable member when there are organized races at a track or some site, it is the intention that such races will be exempt under the regulations. I know how difficult it is to keep a licence plate clean on an automobile, let alone anything else.

On the other hand, it would be very easy for somebody who wanted to raise havoc through a neighbourhood or through a public park if we did not have a provision to keep the licence plate clean. If someone takes a whole handful of mud and covers up the licence plate, what is the use of having it? We have to rely on the reasonableness of our enforcement officers. They are not going to fine someone for having a dusty licence plate. But if it is caked with mud and people are running riot through the community, I think they should suffer the penalty.

I agree, however, if they are having a mud race at an organized track, then that would be exempt under our proposed regulations.

Mr. J. A. Reed: Mr. Chairman, I think the question really is where in the act the provision is made for exemption. I am trying to find out where. Clause 22(b) says "designating classes of off-road vehicles and exempting any class from all or any of the provisions of this act." But a class of vehicle, as I understand it, means a certain kind of vehicle and not a certain kind of activity.

I wonder if the minister could tell us where provision is made for regulating exemption for the specific kinds of activities the minister has mentioned. That might answer the member's proposal for amendment.

Hon. Mr. Snow: Clause 22(b), my legal advisers tell me, is the clause under which such an exemption would take place.

A vehicle used in competition, for instance, would be a class of vehicle. As a somewhat unusual example, in our regulations regarding seatbelts, taxis carrying passengers are a class of vehicles. They are not all Fords, Dodges or Plymouths, but taxis carrying passengers are exempt from the seatbelt legislation.

Mr. J. A. Reed: In order to clarify this section properly, you would suggest that classes of off-road vehicles in this case can be interpreted in terms of the end use or the use of those vehicles. Is that correct?

I think there is going to be some confusion with the Canadian Motorcycle Association and those people who race in competition. When they talk about classes of vehicles, they talk about 50 cc classes, 200 cc classes and this kind of thing. I am asking the question for purposes of clarification because I know the Canadian Motorcycle Association, the Halton Off-Road Riders Association and the people I have had correspondence with are going to be questioning that.

Hon. Mr. Snow: The drafters of the legislation advise me that this clause deals with certain classes of vehicles. I do not think classes necessarily mean 50 cc classes or any other classes. This is the clause, I believe, under which we would exempt vintage bikes from the act or some other particular group of vehicles. That would be drafted and it would be very plain in the regulations. It is this clause that would provide for the regulation to be developed.

Mr. J. A. Reed: Just one further point of clarification. Will these exemptions be proposed by the ministry itself or will the ministry accept applications for exemption?

5:50 p.m.

Hon. Mr. Snow: My ministry always responds to any reasonable suggestion for regulations. We would, no doubt, be working with the motorcycle associations in drafting these regulations as we have in working with the legislation. They would have the chance for input. I have met several times with the Motorcycle and Moped Industry Council in drafting this legislation to discuss many of the aspects of it. They have been very helpful.

Mr. Boudria: I am still not completely clear on this, and I hate to take up any more of the House's time. However, as I look at clause (b), which the minister is referring to, I wonder if it should not say something like "designating classes of off-road vehicles and/or classes of use of off-road vehicles." This would make sure we are not just talking about the class of a vehicle. That is recognized in the industry, as noted by my colleague the member for Halton-Burlington (Mr. J.A. Reed), as referring to the size of vehicle.

Interjection.

Mr. Boudria: I recognize that, but the reason I am bringing it up at this time is to analyse whether or not I should be withdrawing my previous amendment. If the minister can satisfy us that nothing else is required, I am willing to do that.

Perhaps what I should do is just withdraw my amendment to section 9 and reintroduce an amendment under clause 22(b) to ensure this is exactly what that does. I know the legal people are there advising the minister. I just want to be sure we are not going to be stuck with a situation, immediately after we pass this, where what we tried to do today is just not covered.

Mr. Breagh: I have a little problem with the proposed amendment and with what the minister has said.

The minister is proposing to the House this afternoon that certain regulations will be drafted under another section. The difficulty for the members here is that we do not get to see those regulations until they are published. We are in a position where we have to take the minister at his word that he intends to publish some regulation at a later date. It makes it difficult when one is going through this kind of legislation to know what the minister has in his mind. If we do not see these regulations until they are published we will not have a chance to debate them.

It strikes me that the amendment is in order precisely because there is no other published regulation that specifically covers this difficulty. The difficulty I have with the proposed amendment is that it does not do very much to define what is meant by "an organized racing competition" or "competitors." It could mean anything from a nationally organized and sanctioned competition to two people who decide to organize an off-road race on their own.

As it now stands, I think we are left with a rather unpleasant choice. I believe the amendment probably should be withdrawn. We can trust to the good faith of the minister to provide us with some information as to exactly how he intends to regulate these. At some point I presume we will get to see the regulations.

Hon. Mr. Snow: I can assure the honourable members that will be done. Legislative counsel assure me that is possible under the present wording of the act.

Mr. Chairman: Mr. Boudria withdraws his previously proposed amendment to section 9.

Sections 9 to 16, inclusive, agreed to.

On section 17:

Mr. Chairman: Hon. Mr. Snow moves that section 17 of the bill be amended by adding thereto the following subsection:

"(3) Subsection (2) does not apply to prohibit the use of a vehicular hazard warning lamp, commonly known as a four-way flasher."

Hon. Mr. Snow: Mr. Chairman, this is so that if one of these vehicles should have four-way flashers on it, it would not be illegal.

Motion agreed to.

Section 17, as amended, agreed to.

Sections 18 to 21, inclusive, agreed to.

On section 22:

Mr. Chairman: Hon. Mr. Snow moves that section 22 be amended by adding thereto the following clause:

"(e) classifying vehicles designed to travel on

more than three wheels and designating any classes of off-road vehicles."

Motion agreed to.

Section 22, as amended, agreed to.

On section 23:

Mr. J. A. Reed: Mr. Chairman, I have a question surrounding section 23. I just wonder if this section may provide an avenue. The Canadian Motorcycle Association has agreed to put forward a resolution to allow a sound level clause to go into this bill. I am wondering whether this omnibus regulation clause would allow the ministry to adopt a sound level resolution if that were considered to be beneficial and after consultation with the Canadian Motorcycle Association.

Hon. Mr. Snow: I am told, Mr. Chairman, that there is no provision in the legislation to adopt this sound decibel maximum level.

Mr. J. A. Reed: Knowing that, Mr. Chairman, I wonder if the minister has had correspondence with the association on this matter. If not, would he entertain correspondence from the association to look at the possibility of a sound level clause and have his ministry study the effectiveness of such a clause?

Hon. Mr. Snow: Mr. Chairman, we have, of course, had discussions. I met for an hour this morning with their industry association, so I am in very close contact with them. I realize that the industry association has indicated it would not object to a sound level clause being in the bill.

I think the biggest problem I have with that is how to enforce it. There is noise legislation that municipalities have; there is legislation in the Highway Traffic Act where it is an offence to create undue noise. If you say it shall be X number of decibels, unless you have the policeman and three expert witnesses standing there with decibel readers to get a noise level as the motorcycle goes by, I do not know how you are going to enforce this. I think it is better to leave it with some leeway where a charge can be laid for creating a disturbance.

Mr. J. A. Reed: Mr. Chairman, is the minister suggesting that general legislation on noise bylaws and so on at the present time is really all that can be done to exercise some sort of control? The business of noise goes well beyond the noise created by off-road vehicles. There are on-road motorcycles, too, that are noise problems in the same way that some trucks are very serious noise problems at the present time.

Is the current legislation sufficient? Is the minister satisfied that all is being done here?

Hon. Mr. Snow: Yes, Mr. Chairman, I am satisfied at this time. As with all legislation, if problems develop, we would be prepared to look at them.

Section 23 agreed to.

On section 24:

Mr. Chairman: Hon. Mr. Snow moves that subsection 24(3) of the bill be struck out and the following substituted therefor:

"(3) Section 3 comes into force on June 1, 1984.

(4) Section 14 comes into force on August 1, 1984."

Hon. Mr. Snow: Mr. Chairman, subsection 24(4) is the one I mentioned earlier relating to the insurance.

Motion agreed to.

Section 24, as amended, agreed to.

On section 3:

Mr. Boudria: Mr. Chairman, this is the same amendment, so I will just reread it in its slightly modified wording.

Mr. Chairman: Mr. Boudria moves that the bill be amended by adding thereto the following subsection:

"(4) No person under the age of 12 years shall drive an off-road vehicle on land except where the owner of the vehicle is the occupier of the land."

Mr. Boudria, your first motion was withdrawn?

Mr. Boudria: Mr. Chairman, I withdraw my first motion and substitute this one for it.

Motion agreed to.

Section 3, as amended, agreed to.

Section 25 agreed to.

On motion by Hon. Mr. Snow, the committee of the whole House reported one bill with certain amendments.

The House recessed at 6:03 p.m.

CONTENTS

Tuesday, October 18, 1983

Statement by the ministry

McCaffrey, Hon. B., Provincial Secretary for Social Development:

Task Force on Employers and Disabled Persons. 2179

Oral questions

Andrewes, Hon. P. W., Minister of Energy:

Hydro reactors, Mr. Peterson, Mr. Rae, Mr. Sargent. 2180

Hydro rates, Mr. Rae, Mr. Peterson. 2182

Davis, Hon. W. G., Premier:

French language rights, Mr. Rae, Mr. Roy. 2183

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Securities industry, Mr. Breithaupt. 2184

Conversion of rental units, Mr. Philip, Mr. Ruprecht. 2189

Grossman, Hon. L. S., Treasurer and Minister of Economics:

Tobacco taxes, Mr. G. I. Miller. 2187

Inflation restraint board, Mr. Wildman. 2187

Pope, Hon. A. W., Minister of Natural Resources:

Angling licence fees, Mr. Eakins. 2188

Taylor, Hon. G. W., Solicitor General:

Securicor Investigation and Security Ltd., Mr. Mackenzie. 2185

Timbrell, Hon. D. R., Minister of Agriculture and Food:

Beginning farmers program, Mr. Riddell. 2191

Welch, Hon. R. S., Deputy Premier and Minister responsible for Women's Issues:

Women's pension benefits, Mr. Wrye, Ms. Bryden. 2185

Wells, Hon. T. L., Minister of Intergovernmental Affairs/Acting Minister of Health:

Rest home conditions, Mr. Cooke, Mr. Wrye. 2186

St. Lawrence Estate nursing home, Mr. Samis, Mr. Cooke, Ms. Copps. 2190

Petitions

Inflation restraint legislation, Mr. O'Neil, Mr. Sargent, Mr. McClellan, Mr. G. I. Miller, Mr. R. F. Johnston, Mr. Ruprecht, Mr. Roy, Mr. Nixon, Mr. Charlton, Mr. Bradley, Mr. Wildman, Mr. Renwick, Mr. Boudria, Mr. Swart, Mr. J. M. Johnson, tabled

2192

Motion

Private members' public business, Mr. Wells, agreed to. 2196

First readings

Assessment Amendment Act, Bill 90, Mr. Gregory, agreed to. 2196

Employment Standards Amendment Act, Mr. Wrye, agreed to. 2197

Private member's motion

Motion to set aside ordinary business, Mr. Riddell, Mr. Swart, Mr. Timbrell, negatived 2197

Second reading

Off-Road Vehicles Act , Bill 61, Mr. Snow, Mr. Eakins, Mr. Philip, Mr. Riddell, Mr. Haggerty, Mr. G. I. Miller, Mr. McGuigan, Mr. Cunningham, agreed to.	2200
---	------

Committee of the whole House

Off-Road Vehicles Act , Bill 61, Mr. Snow, Mr. Cunningham, Mr. Boudria, Mr. J. A. Reed, Mr. Breagh reported.	2206
---	------

Other business

Ploughing match , Mr. Mitchell, Mr. G. I. Miller, Mr. Swart.	2179
Visitor , Mr. Speaker.	2179
Use of time in question period , Mr. Martel, Mr. Rae, Mr. Mancini.	2191
Ministerial information , Mr. Sargent.	2192
Recessed	2214

SPEAKERS IN THIS ISSUE

Andrewes, Hon. P. W., Minister of Energy (Lincoln PC)
 Boudria, D. (Prescott-Russell L)
 Bradley, J. J. (St. Catharines L)
 Breauth, M. J. (Oshawa NDP)
 Breithaupt, J. R. (Kitchener L)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Conway, S. G. (Renfrew North L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Coppins, S. M. (Hamilton Centre L)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
 Cunningham, E. G. (Wentworth North L)
 Davis, Hon. W. G., Premier (Brampton PC)
 Eakins, J. F. (Victoria-Haliburton L)
 Eaton, Hon. R. G., Minister without Portfolio (Middlesex PC)
 Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East)
 Elston, M. J. (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Foulds, J. F. (Port Arthur NDP)
 Gregory, Hon. M. E. C., Minister of Revenue (Mississauga East PC)
 Grossman, Hon. L. S., Treasurer and Minister of Economics (St. Andrew-St. Patrick PC)
 Haggerty, R. (Erie L)
 Johnston, R. F. (Scarborough West NDP)
 Jones, T., Deputy Speaker and Chairman (Mississauga North PC)
 Mackenzie, R. W. (Hamilton East NDP)
 Mancini, R. (Essex South L)
 Martel, E. W. (Sudbury East NDP)
 McCaffrey, Hon. R. B., Provincial Secretary for Social Development (Armourdale PC)
 McClellan, R. A. (Bellwoods NDP)
 McGuigan, J. F. (Kent-Elgin L)
 Miller, G. I. (Haldimand-Norfolk L)
 Mitchell, R. C. (Carleton PC)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Peterson, D. R. (London Centre L)
 Philip, E. T. (Etobicoke NDP)
 Pope, Hon. A. W., Minister of Natural Resources (Cochrane South PC)
 Rae, R. K. (York South NDP)
 Reed, J. A. (Halton-Burlington L)
 Renwick, J. A. (Riverdale NDP)
 Riddell, J. K. (Huron-Middlesex L)
 Robinson, A. M. (Scarborough-Ellesmere PC)
 Roy, A. J. (Ottawa East L)
 Ruprecht, T. (Parkdale L)
 Samis, G. R. (Cornwall NDP)
 Sargent, E. C. (Grey-Bruce L)
 Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
 Swart, M. L. (Welland-Thorold NDP)
 Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)
 Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Welch, Hon. R. S., Deputy Premier, Minister responsible for Women's Issues and Minister of Energy (Brock PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
 Wildman, B. (Algoma NDP)
 Wrye, W. M. (Windsor-Sandwich L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Tuesday, October 18, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, October 18, 1983

The House resumed at 8 p.m.

CONSTITUTION AMENDMENT PROCLAMATION (concluded)

Resuming the adjourned debate on government motion 10: Rights and freedoms of the first inhabitants of Canada, the aboriginal peoples.

Mr. Shymko: Mr. Speaker, as we resume the debate on motion 10 related to the rights and freedoms of the first inhabitants of Canada, the aboriginal peoples, I would like to say it is with pleasure that we see our young people in the galleries, those who have studied the history of Canada and, particularly at their age, the history of our native peoples and their contribution to the history of our nation.

To continue in my thoughts, concluding yesterday at six o'clock, I spoke about—

Mr. Williams: A point of privilege, Mr. Speaker: For the benefit of the member for High Park-Swansea, I want to point out that the young people he is addressing in the gallery happen to be the 14th Scarborough West A Cub Pack from the riding of Oriole.

Mr. Shymko: I certainly thank the member for Oriole for pointing out in precise detail who I was referring to.

In my remarks yesterday, I stressed one element that is very often forgotten by our citizens and at times by our politicians. We must remember that constitutional declarations, statutory acts and any guarantees in our laws really depend for their survival on one aspect: the attitudes, the values, the thinking of the people of the particular time in history. That is when declarations and constitutional guarantees and laws will have any relevance.

We have seen moments in our history, as recently as during the Second World War, when Canadian citizens were incarcerated in concentration camps despite guarantees and despite laws. I refer to the American Declaration of Independence, the great document of our neighbours to the south, where Negro slavery existed for three quarters of a century after that declaration because of the people's attitudes.

In spite of the amendments we will be making

to the Constitution and the Charter of Rights, it is important that we start changing our attitudes to our aboriginal peoples so as to entrench that in the minds and the hearts of the citizens of Canada and of this great province. I am very concerned that our laws provide that all people should have the opportunity to attain those ends and to make their unique contributions to our national way of life in their own way. We as a society must accept that principle.

I mentioned tolerance. I believe we will only develop that understanding, that sensitivity, if we talk to one another.

Mr. Haggerty: Where has your party been the past 40 years?

Mr. Shymko: We can make partisan remarks and play the little game of partisanship. But progress has been made. This a Progressive Conservative Party and it has made changes in the Human Rights Code.

I recall people demonstrating, when the Minister of Labour (Mr. Ramsay) was seeking re-election, over the fact that we wanted to implement changes. I do not have to listen to those remarks.

Mr. Renwick: Mr. Speaker, on a point of order: I fail to see a quorum.

Mr. Speaker ordered the bells to be rung.

8:11 p.m.

The Deputy Speaker: There now being a quorum, would the member for High Park-Swansea please continue.

Mr. Shymko: I would like to thank—

Mr. J. M. Johnson: Mr. Speaker, I would like to point out a fact for the benefit of the members of the House.

The Deputy Speaker: Are you rising on a point of privilege?

Mr. J. M. Johnson: A point of privilege.

The Deputy Speaker: The chair will hear your point of privilege.

Mr. J. M. Johnson: Mr. Speaker, as whip responsible for the attendance in the House tonight, I was disturbed by the quorum call. I attended the standing committee on resources development and advised that we did not have members in attendance—

The Deputy Speaker: Order. The member's comments are neither a point of privilege nor a point of order.

Mr. Shymko: Mr. Speaker, I would like to express my gratitude to the member for Riverdale (Mr. Renwick), who realizes not only the importance of this debate but also the importance of my words and what I was trying to say, who wanted not only to make sure that we would have a quorum but also to try to have this entire House filled with members of the Legislature. I thank the member for Riverdale for his assistance.

I would like to continue by—

Mr. Mancini: You drove the members out of the House.

Mr. Boudria: You chased them away, Yuri.

Mr. Shymko: I may be over-reacting to the member for Erie (Mr. Haggerty). I know these references are made once in a while, and I will try to stick to my comments and my speech by not reacting.

As I was saying, we will only develop the understanding, sensitivity or tolerance I referred to if we talk to each other and share equally one another's concerns and, above all, if we have the courage, determination and intelligence to put aside all prejudice and stereotypes once and for all.

Our history is a sad history. In my opinion, it tells us that the first people of this land have been for too long excluded from the political, social and economic life of this nation. For them, to quote the Prime Minister, it has not been a "just society." They were placed in a position in which their destiny, future and very existence were paternally determined by the bureaucracies which were ignorant of them and over which they had no control and little influence.

To this day, for one reason or another—and I will not try to discuss the reasons—we do not have a member of our native peoples sitting in this Legislature. Much worse, at times and in different places in this country, our aboriginal people have been actively persecuted, if I may use the term.

Some students of history and of the treatment of our aboriginal peoples tell us that Canada is unique in that it has historically recognized the legitimacy of the concept of aboriginal rights and aboriginal title. This may be true; however, all too often what we approved of in concept we did not practise. Nor did the policies adopted at the national level with respect to the native peoples—and I refer to the federal government

of Canada—necessarily reflect those commitments to those philosophical and legal principles of aboriginal rights and aboriginal title to which some of the participants in the debate referred.

I do not have to recall to the members that in the United States, Indian policy for centuries vacillated between extermination and assimilation. The former is best summed up by General Sheridan's phrase—and it is unfortunate that one has to say this—that "The only good Indian is a dead Indian." It was a reality. I refer to the attitudes, the thinking and the minds of people at that stage in history, no matter what constitutional guarantees were entrenched in that great country to the south.

In Canada, the goal of total assimilation at times dictated our aboriginal policies, certainly until the 1940s and, some would argue, in various ways until the mid-1960s. In my opinion, the difference between integration and assimilation is that we must all integrate socially, economically and politically and participate in the process; it is a desired goal.

Some of the fundamental, beautiful values of that diversity are a blessing in this country, and not a curse. I refer to the culture, tradition and customs of our peoples. They should not be destroyed in some uniform way. They are a blessing that should be preserved. That is what I mean by integration as opposed to assimilation. These things should not be destroyed. This is where we are unique in this province, in some of the policies this government has initiated; the heritage language program being one, and acceptance of the policy and the concept of multiculturalism which we all share and which in some degree is being entrenched in article 15 of our Constitution.

Let us be frank. The policies I referred to earlier have been a failure in the past, and the native peoples of this country paid the price for that failure. Our policies failed so miserably that by the 1970s, for example, some people were beginning to speak of our native policies as policies of cultural genocide. All members are familiar with the grim statistics on mortality rates, alcoholism and family violence. I do not have to refer to some of the studies that have been done and to the standing committee that visited a part of our province and saw some of the destitution in this area. I do not have to talk about the crime, suicide and poverty that describe the life of our native peoples. I need not review them here.

Those statistics point not only to the failure of

a policy but also to the death of a culture. The death of a culture is a terrible thing. It leaves the individual born and raised in that culture without value orientation in life. Perhaps no member in this chamber can fully appreciate the trauma this must cause. Members should try, if they can, to answer these questions put by the hereditary chief of the Coast Salish tribe and the honorary chief of the Squamish tribe, Chief Dan George, who is well known to all of us.

With your permission, Mr. Speaker, I would like to quote Chief Dan George, for the first time in the history of this Legislature in a language of one of the province's aboriginal peoples, namely, Ojibway. I also hope the day will not be too long in coming when we can all be blessed by the presence of Canada's natives, one of them or maybe more, sitting among us as elected members of this Legislature. Until that day, I beg forgiveness if non-natives such as I do not speak with the facility and the eloquence that this beautiful language deserves.

8:20 p.m.

But these are the questions that Dan George posed. This is the way they sound in Ojibway.

[Remarks in Ojibway]

Before providing the translation, I want to thank Isidore Toulouse, the adult program co-ordinator of the Native Canadian Centre here on Spadina Ave., in Toronto, for his kind assistance in coaching me.

For the benefit of the honourable members I would like to provide you with the translation. This is what these questions posed by Chief Dan George were:

"Do you know what it is like to be without moorings? Do you know what it is like to be and to live in surroundings that are ugly and everywhere you look you see ugly things? Do you know what it is like to feel you are of no value to society and to those around you, to know that people come to help you but not to work with you because you knew they knew you had nothing to offer in the first place?

"Do you know what it is like to have your race belittled, to be without pride in your race, pride in your family, pride and confidence in yourself? You do not know, for you have never tasted its bitterness."

The reason I believe these amendments are so important, so crucial to our future, is because they are, as one commentator put it, a test of our civility. They signal a change in our attitudes towards the native peoples of this nation, a change brought about by a change in our values

which I believe, and I stress again, is more important than any statutory act, than any constitutional guarantees. This is what we will have to stress in this Legislature to our constituents, no matter where we live and what area we represent.

To a degree, credit for this change must go to the native peoples themselves. They have taken this issue out of irrelevance.

At a conference on educational reform for minorities held at the University of Windsor in May 1971, Delia Opekokew, a native, said of the native people: "A real conflict is going to erupt one of these days. We are going to do more than simply stay in our teepees."

They did more. They organized. They lobbied. They took legal and political action and they worked to inform the public and the politicians of their needs, of their demands and of their rights. We saw their desperate activities while the constitutional conference and debate were being held in Ottawa. They went to London, to the United Kingdom. They pressured, they convinced and they worked on the attitudes and the opinions of all Canadians.

I would like to say that the results of their actions are here before us today in this debate and this amendment. These amendments must be passed because this dialogue, this process of defining aboriginal rights, must be continued. Our laws reflect our values, our attitudes, and no body of law should do that more completely or more accurately than our own Constitution.

I would like to add that adopting these amendments is only a first step.

Mr. Stokes: When are you going to translate the words into action?

Mr. Shymko: It is only a first step—I am concluding my remarks and I will not react to comments. I have valued the comments from the member for Lake Nipigon.

I say that adopting these amendments is only a first step, an important one, but we can only go forward because we must only go forward. Progress will depend upon our understanding of the issues and our commitment to devising workable solutions. They are not perfect; we are not perfect. But the commitment and the intent on this side of the House is to work towards that goal and members cannot question that intent. With members' help, together we must ensure that the very least of these matters remains in the forefront of our political stage—yes, by debates such as these.

In the future conferences that will be mandated by these amendments I hope that national

and native leaders will talk and converse as friends, as neighbours, and not just negotiate as antagonists or protagonists, as conquerors or vanquished. We do, after all, share a great land. Let us pray that we will share it in harmony, share it in understanding and in trust, as the treaties used to say long, long ago, "for as long as the sun shines and the river runs."

Mr. Boudria: Mr. Speaker, I come into this debate rather at the last minute only to express a few views of my own concerning this very important and historic event. I must say that before coming into the Legislature tonight I had not considered speaking on this resolution, and I will probably make my remarks fairly brief.

Not long ago a number of members of our Legislature had the privilege of travelling as part of a committee to northwestern Ontario, where we went to visit an Indian reserve. I think it is important to talk about this briefly, and I know that my colleague the member for Kent-Elgin (Mr. McGuigan) did discuss it earlier in the House.

For a person such as I, who represents a constituency that does not have a native reserve and is quite some distance from other constituencies that do, my exposure to and my knowledge of natives and of the reserves was very limited. While I will not profess tonight that I am now an expert on the topic, which of course I am not, I gained some knowledge over the few days I was there that was, in my view, very interesting and taught me things I had never felt existed in this province.

As you know or may have read in the papers, Mr. Speaker, we spent some time in Kenora and visited the Grassy Narrows Indian reserve. I must say it was the first time in my life I ever was on a gravel road that was 75 or 80 miles long. I am sure some of my northern colleagues have been on such roads probably within the last week visiting their own constituencies, but for some of us in other areas that does not happen very much. Although I represent a rural riding, it is very different from that part of the province.

Mr. Sheppard: You must have some gravel roads down in your riding.

Mr. Boudria: I do have gravel roads, but none that long, to answer the member for Northumberland.

8:30 p.m.

As I was saying, the experience we had was that we visited an Indian reserve. Upon arriving on the reserve, it became very obvious that this particular place had quite a bit more poverty

than I felt I would see. It became obvious that even though this community was quite remote there were very few automobiles, the housing was not in very good condition—or did not appear to be in good condition just from the appearance of the outside of the premises. Although what we saw as a first impression when we arrived was shocking and disappointing, it was nothing compared to what we learned afterwards.

We had an interesting conversation with the chief and some of the members of the band council, during which he explained to us the very sad state of affairs that we, as a society, have allowed to happen. The chief explained to us that 15 or 20 years ago the federal government would spend only a few thousand dollars a year on that reserve—\$5,000 or \$6,000, something like that.

At that time the people were living a much happier lifestyle than they are today and, from what the chief told us, a much more meaningful one. One generation later, we have achieved a state where in that same reserve we now have a situation whereby government spends some \$500,000 a year and almost the totality of the population is without gainful employment.

We asked the chief how we got this way. He proceeded to explain to us some of the things that had happened in his community. I may have the sequence of events changed in the way I will explain it, but I will attempt to recall it for the House as best I know how.

The chief explained that mercury pollution was discovered in their source of water supply, in their lakes and rivers, where the reserve used to be. After some negotiations with paper companies, governments and so forth, it was decided that they had to move the reserve because it just could not stay there given those conditions.

They moved the reserve a few miles downstream, or on another river, where it remains today. However, in doing so, they moved the reserve to an area that had no agricultural land. The old area had very fertile land, where the natives had vegetable gardens and things like that. In this new location, there is very hard clay and one could not grow anything worthwhile. Some employment was lost in this particular move.

The fact that one is moving a community is very traumatic in itself. This is also very disturbing. If this had been all that happened, I would say things would have been going pretty well on

that reserve, but this is only the tip of the iceberg.

From that situation, we proceeded to learn of another experience they had had. When they moved to the new area, they lost much of the tour guide employment they were previously providing. The natives would act as guides to the tourists who would come in and fish and hunt. In the new community, it became increasingly difficult to do this. There were fewer fish in the new place and one could not be a fishing guide.

I am sure the next sentence will bring a message home to the member for Lake Nipigon (Mr. Stokes), because I have heard him discuss this in the House. It is the business of clear-cutting the forest. In the new location, they cut down all of the trees. We went there just recently and there is hardly a tree that is bigger than about the size of a cup. This was in a forest which is 75 or 80 miles from the nearest community. One would think that all one would see there would be very huge and prosperous forests, but that was not the case. There were relatively small trees, and that was all that was left.

This is because the forests had been clear-cut. I had heard that expression used in the House before, but I must say I had never seen it. I had heard the member for Lake Nipigon describe what the landscape looked like after such a thing happened, but I must say I had never seen it myself, not being from that part of our province.

Needless to say, they have no more trees and no more wood. Not only that, but they have no more animals to hunt, because if you no longer have a forest, of course, you no longer have the animals that were there as well.

As the chief explained to us, not long after all those incidents happened they decided to dam the river and raise the water level, and that destroyed the wild rice crop. Now they have no more wild rice, which was another source of gainful employment for the natives of that community.

I understand that some people came in with a machine which was supposed to harvest the blueberries and get much better yields from them. However, when this blueberry-picking machine, or whatever it is called, came in to harvest blueberries in that community it destroyed all the plants. They had a very good yield that year, but nothing has ever grown there since, so now they have lost the blueberry crop.

In listening to what the chief told us, it

became obvious that in this community we had allowed a situation to happen where we had totally destroyed those people's environment, their lifestyle, their culture and everything else. There was nothing left there that they were used to.

One of the very shocking things that was brought to my attention by the member for Kent-Elgin was that here we were 75 miles in the middle of the forest, or some similar distance, and there was not one log house. Structures were made of all kinds of things except logs, I suppose. They looked like some of the housing you would see in certain areas of the suburbs of the city, with the exception, of course, that they are all very small housing units and certainly not with very many of those fancy things that we take for granted in some of our communities.

The chief was telling us that on this reserve there is almost 100 per cent alcoholism, and it is small wonder that we see this kind of situation if we have destroyed everything those people had. I must say that I came back from this very short trip and I was really upset with what I had seen. I cannot help but wonder just why this has been permitted to go on for so long.

The reason I bring all this up is to state that it is fine for us—it is good, actually, for us—to pass resolutions and to amend and to correct, at least on paper, some of the inequities that have happened in the past; but, needless to say, it obviously cannot stop there. I think we have to go much further and we must ensure that we give back to our native people the pride they once had, and in order to do that we obviously have to pay far greater attention to them, to stop destroying their environment, their culture and their surroundings in order for them to be able to prosper as communities.

In conclusion, it is interesting that we are all here in this chamber debating and agreeing on this resolution of constitutional amendment, and it is my hope that the resolution we are discussing tonight will lay the groundwork for us to discuss further constitutional amendments later. I know that I speak only from my own personal views, but it is my hope that there will some day be a resolution in this House in which we will entrench the rights of others, namely the francophone community.

Merci beaucoup, Monsieur le Président.

8:40 p.m.

Mr. Rae: Mr. Speaker, in winding up the debate for our party, I first want to pay tribute to my colleagues in the House who have contributed to the debate, led off by the member for

Algoma (Mr. Wildman), followed by the member for Lake Nipigon (Mr. Stokes), the member for Scarborough West (Mr. R. F. Johnston), the member for Riverdale (Mr. Renwick) and the member for Oshawa (Mr. Breaugh). Each put on the record of this House the basic concerns our party has with respect to the relationship between the native people of this province, the Indian people of this province and the Ontario government and the relationship with the government of Canada.

In closing the debate for our side, I want to put our views in some perspective. I hope to shed some light on the historical juncture in which we now find ourselves with respect to the historical and collective rights of our native people, the Indian people of Ontario, the Indian people of Canada, the native people of Canada.

It is perhaps worth recalling that it was 15 years ago that the Prime Minister of Canada and the Department of Indian Affairs and Northern Development issued a white paper, at which time the purpose of that white paper was to say that the way to get out of the anomalous relationship between the federal government and the native people, from the perspective of Mr. Trudeau, the Prime Minister at that time, as he still is today, was basically for the government of Canada to pull back and to pull away from its historic relationship and for the Indian people in a sense to develop a direct relationship with their provincial governments, to establish a direct relationship with their governments just like all the other citizens of Canada.

I suppose it was the classic expression of the assimilationist point of view which stated that there were no particular relationships, policies and legal understandings that could or should be reached with the Indian and native people of Canada, that it was time to cut the cord, as the Prime Minister would have put it at that time, and for the Indian and native people to be seen and treated just like everybody else.

It is important to remember that approach was rejected out of hand by the Indian people and by the native people and was proven to be a political nonstarter back in 1968, 1969 and 1970 when it was put forward by the Liberal Party at that time.

It is important to recognize that the hangover from that point of view is still very strong. It has apparently taken even more than the Nishga case itself, which was settled in the Supreme Court of Canada, to convince both provincial and federal governments that there is something unique, particular and special in the historic and

collective relationship our Indian people and native people have to this country.

Those of us who, when we were able to steal a moment or two, watched the constitutional debate of the first ministers, which was addressed by Chief Billy Diamond, David Ahenakew and other leading spokesmen for the Indian and the native people of Canada, saw this was the first time the people of Canada were exposed to a tradition of point of view, to a tradition of argument which has quite simply been in the wilderness for too long.

The Canadian people and the first ministers were exposed to the reality that all of the rhetoric that had gone on through the constitutional debate about whether we put in or took out the word "existing" in terms of existing rights or other rights, or whether some things are said or not said, and the general arguments that were heard and the concessions that were made at the last minute, that there was a very big reality behind the rhetoric, and that it was time for governments to come to terms with that reality.

In my view, we are in an extremely exciting time. I have shared the experiences of the member for Prescott-Russell (Mr. Boudria). All of us who have been on reserves in northern Ontario from time to time, all of us who have talked with spokesmen for native peoples, all of us who have been in the friendship centres in many communities across the province and know the human problems, who know the poverty and have seen the poverty, who know the problems with booze and drugs, could come away with a perspective that would be missing something in the story, missing something in what has happened. This is really what I want to say in this debate.

The Indian people and native peoples have accomplished one hell of a lot in the last 10 years. They have done it largely on their own. They have convinced government to move away from the assimilationist point of view. They have thrown that point of view into the trash can of history where it most deservedly belongs. They have forced politicians of all stripes to listen to a very different kind of language and to understand a very different point of view. I believe they have even forced the first ministers finally to come to grips with the meaning, the hard reality of what it is we mean and understand by the historical and collective rights of aboriginal peoples.

All the facts about poverty, all the facts about government negligence and mistreatment should

not obscure the fact that the native and Indian people of this country have made a giant leap in terms of their having changed the agenda of constitutional politics in this country and, I daresay, of constitutional politics in this province.

They have put the question of rights firmly on the agenda from which it cannot be removed. For that they deserve the thanks of every single member in this assembly and every single citizen of Canada. By awakening us to the importance of understanding their particular relationship to this country and to the land and the wealth of the country, I believe they have touched something very deep in the psyche of all of us with respect to a country called Canada. That is a point worth remembering.

The second point I want to make is that all the rhetoric that is adopted with respect to this resolution—and let us remember this resolution does not give any concrete meaning to aboriginal rights; it does not give any hard concrete content, any real substantive content to the notion of aboriginal rights—does is put into process a series of consultations. In itself that is a victory.

When I questioned the Premier (Mr. Davis) on his intentions with respect to the upcoming constitutional meeting last spring, I said in the House that unless they came away with that as a very minimum, we were in danger of throwing away all the progress that had been made legally, constitutionally, politically and economically with respect to advancing the cause of native rights and the cause of aboriginal rights in this country.

To members opposite I want to suggest the cutting test is now to come. They have agreed on the process. Tory government in Ontario and governments across the country have agreed on the process. Now we come to the crunch, the short, sharp strokes as to what exactly is meant by the phrase, "aboriginal rights," precisely what is being recognized when we say, as governments are now apparently prepared to say, there are such things as treaty rights, precisely what is the content and what is the meaning of those terms.

8:50 p.m.

I have a very real concern when I look at the record of this government and at the record of the Canadian government with respect to the meaning of these terms. I know those concerns have been expressed by the member for Algoma and the member for Lake Nipigon, among many others. I believe we as a people have to take the next step in this province to give real meaning to

those terms; and giving real meaning to them means, first of all, recognizing claim to the land itself.

I will give one small example of the very real difficulties native people are experiencing with respect to claims for land. In talking with Indian people, band chiefs and grand council chiefs for Treaty 3 and Treaty 9 and other areas in the province, I sensed they feel that if it was left to the provincial and federal governments the discussions about land claims could go on forever and never be resolved. The federal government could always blame the provincial government and the provincial government could blame the federal government. They sense there is never going to be a real resolution to the disputes about land.

I suggest the Premier should read very carefully the remarks made by the member for Lake Nipigon with respect to land. He should read the remarks with respect to the fact that there are Indian people in Treaty 9 who are looking for reserve land and their claim to land has not been recognized; neither has their claim to be a band with a relationship to a piece of land been recognized.

There is no way governments can get away talking any longer in grandiose language about what their intentions are. I refer to the speeches by the member for High Park-Swansea (Mr. Shymko), the member for Cochrane North (Mr. Piché) and the member for Sudbury (Mr. Gordon) about the new spirit of tolerance and understanding which is building in northern Ontario. None of those things means anything unless there is a willingness to take the next step with respect to land.

Certain concerns were expressed to me when I was in northwestern Ontario 10 days ago. I attended a meeting, as did the Minister of Northern Affairs (Mr. Bernier)—he followed me on the agenda—of the grand council of Treaty 3 in the Rat Portage reserve just outside Kenora.

I met with the chiefs from the Big Grassy band and the O-ne-ga-ming band and they told me a story I have confirmed in discussions with the lawyer for those two bands, Mr. Donald Colborne. He is a lawyer in Thunder Bay who is involved with negotiating the claim. It is a land claim known as the Assabasca land claim.

The claim is for a strip of land near Lake of the Woods, about 1,600 acres. The land was originally an Indian reserve and title was transferred from Ontario to Canada for that purpose. In 1930, however, through an error in

their records which failed to show the land as a reserve, Ontario started opening it for development. In dealings and correspondence between Ontario and Canada, Canada made the same error and came to the conclusion the land was not a reserve. As a result, the land was sold.

Since the claim was first launched in 1977 the governments have admitted their error. The settlement negotiations started in earnest about three years ago. There was some progress to the point where the bands involved put their entire position on the table, believing the negotiations were close to a conclusion. The meeting to receive the response of the governments to the Indian position was convened in Toronto in early July.

At that meeting the Ontario government was represented by people who were not previously party to the negotiations. One can imagine the Indians' feeling. Negotiations had been going on for nearly six years and they were coming to one part they thought was near a conclusion. They turned up at a meeting they thought had been convened to resolve the negotiations and found the representatives from the Ontario government were people who had never previously been involved. It was utterly incredible.

Those negotiators for the Ontario government said they had no instructions on how to proceed. Since then they have said they cannot sit down to settle the claim until they sort out with Canada who is responsible for the mess or how responsibility should be divided.

The unfairness of this is quite simply that Ontario has known from the very beginning, from 1977 when the claim was first launched, that these questions are between the governments of Ontario and Canada and would have to be settled. I can assure members that the bands are very upset with the negotiators for the Ontario government for having waited until the 11th hour to act.

That is one small example. We are talking here about a land claim for 1,600 acres. We are not talking about some of the major issues that are currently either before the courts or before the commissioners in this province. Unless the government of Ontario can show a degree and measure of good faith with respect to a very simple land claim, such as the Athabasca land claim which I have just described, I would ask members to think about the consequences of what they are doing negotiating in that kind of a way.

From my discussions with the Indian community since becoming the leader of the provin-

cial New Democratic Party, there is a sense that the Ministry of Natural Resources does not really want to follow through on these negotiations and is not really determined to take the next step.

There is a sense of an almost Alice-in-Wonderland unreality to the discussions taking place. There are the endless delays, six-month adjournments and the replacement of whole teams of negotiators by new teams of negotiators who know nothing about what has previously been decided or talked about. I say these words advisedly; there is a sense of not really caring or focusing on the issue by the government of Ontario.

Indeed, I have heard it said as recently as a few days ago by the Ministry of Northern Affairs that the basic jurisdiction for the Indian people of Ontario rests with the federal government. All along that has been the basic stance the government of Ontario has taken. All along the government of Ontario has said, "It is not really our problem or concern. It is really the problem and concern of another level of government. If you have a problem, go and talk to Ottawa."

When one talks with the native people and with the Indian people about their essential concerns, when it comes to land, wild rice, fishing, hunting, resource management and conservation, those are all issues which speak directly to the activities of the government of this province. It is not good enough any longer in 1983 for the Minister of Northern Affairs to sit back and say: "It is essentially a matter for the government in Ottawa. All we do here is basically pass on whatever is going on and we are really not involved."

As members of my party have pointed out, the member for Algoma, the member for Lake Nipigon and the member for Scarborough West, in talking about family services and child welfare services and education the provincial government cannot take that position any longer. The government of Ontario cannot take that position any longer and the Tory party cannot get away with that any longer.

As the member of Lake Nipigon has quite correctly pointed out, as he pointed out with such eloquence in his speech the other day, it is not possible for the government of Canada to give land, in terms of reserve status, unless the government of Ontario is prepared to give up some crown land and cede it to the government of Canada so that it can, in turn, cede it to create lands for reserves. In Treaty 9 the examples are

there in the speech given by the member for Lake Nipigon. That is just one example.

9 p.m.

I want to return to what I was saying. The first point is that these historical and collective rights mean nothing unless they are attached to a piece of land. As long as we have a government over there that is not prepared to deal in good faith with respect to land, we are not going to make real progress with respect to the negotiations and consultations, whether they go on in Ottawa, Kenora or anywhere in Ontario.

We are not going to make real progress in this province until that government makes a commitment with respect to land claims and the attachment and the claims of the native people and the aboriginal people of this province to the land itself. That fact has to be driven home. If they do not understand that and do not understand that something has to be given up and something has to be negotiated, then we are really not going to make a great deal of progress.

The second point I want to make is with respect to what the government of this province has to recognize. It has to recognize that the demand for self-government is not an abstraction; it has very real substantive meaning. That demand has been expressed to the federal committee that has gone across northern Ontario as it has gone across northern Canada and to many other parts of Canada where the Indian people and the native people are living,

When we look at the sense of anger and of frustration of the Indian people with respect to their wild rice resource in northwestern Ontario, their fishing and hunting rights and a new area that is going to become of increased importance with respect to management of both nonrenewable and renewable resources, I say there is no way we are going to get over the problem of massive joblessness on reserves unless we say: "Fine, let us give real responsibility and real authority to the bands on the reserve, not only with respect to relatively minor matters but also with respect to the foundation of the real economy on those reserves." If the real economy on a reserve is fishing, let us give the responsibility with respect to conservation of that resource to the Indian people themselves on that reserve.

I want to congratulate the Minister of Natural Resources (Mr. Pope) for trying to do that. In fact, if his efforts had not been undermined by the man who is sitting there in the front row, the Minister of Northern Affairs, we might have made some real progress with respect to fishing

rights and the rights of the Indian people on reserves to real authority with respect to conservation.

This government goes off in all directions; it has the Minister of Natural Resources saying one thing in the north and the Minister of Northern Affairs completely undermining every attempt by the government to reach agreements in good faith and to have those agreements have real teeth and real meaning. That is the face of the Tory party in northern Ontario, and that is the face of the Tory party which has to be exposed in this province.

We cannot have the Minister of Natural Resources getting up and saying, "This is the kind of agreement we want to reach," when the Minister of Northern Affairs is going around the province writing letters, even to the Minister of Natural Resources himself, expressing his concerns with respect to that agreement. If that agreement is a dead letter—and I have heard it said that it is a dead letter—then let the responsibility for it being a dead letter lie straight, fairly, firmly and squarely on the shoulders of the Minister of Northern Affairs.

In doing that, in undermining that agreement, we have taken a step backwards in this province. I know there were concerns expressed by some bands, and indeed I know there were concerns expressed very directly to me by the Grand Council of Treaty 3 with respect to that agreement, but I still say any advancement that is going to be made with respect to self-government has got to come to grips with the responsibility that has to be given to the Indian reserves, to the Indian bands themselves, with respect to conservation.

Lord knows, I sometimes hear it said, and it is sometimes expressed privately, that if we recognize the historic rights to fishing and hunting, the resource will be depleted in two, three, four or five years and it will be all gone. I want to suggest that view is not only profoundly insulting to the Indian and native people of this province; it is also absurd and it is dead wrong.

Given the record of the Ministry of Natural Resources with respect to the renewal of a fundamental resource like forestry, it is hard to imagine anybody doing a worse job than that ministry with respect to the renewal of that resource.

If we are going to make progress in this province, and I believe we are all agreed that progress has to take the direction of self-government, that self-government has to involve a real devolution of authority with respect to

conservation of a basic resource like wild rice, as well as fishing, hunting and other renewable and nonrenewable resources.

If we do not give the Indian people, the people on the reserves, a direct stake in the resources upon which their economy is based, we are cutting off the only avenue that I believe is possible for economic development in the reserves of northern Ontario.

All the well-meaning schemes that may come out of the heads of various people will have no meaning at all unless they are attached with roots to the real economy of those reserves. One cannot have an industrial strategy or an economic strategy for the northern reserves that is based on some abstraction or abstract theory. It has to be based on what the people grow, what is there, what is growing and living, what is close to the land, what is indigenous to the land itself and what is indigenous to the tradition of the Indian people themselves.

That is not to say we are not going to move beyond that and have effective manufacturing, sawmills and so on; but those are only going to be effective as and when we give real rights with respect to cutting and management of the basic resource itself.

In conclusion, I want to suggest that we are in the middle of nothing short of a constitutional and political revolution. Many of the ideas upon which common law lawyers were raised, about the nature of parliamentary sovereignty, about the nature of an individual's relationship to the state and about an individual's relationship to the law, are really inadequate to describe what is unique about Canada.

We are one of those unique nations whose original people were essentially conquered by colonists, and yet whose original people have carried on traditions, a way of life, a way of feeling, a way of being, a way of relating to the land, a way of relating to this country that we now have to come to terms with as the children of the original colonists in this country.

It is something that is going to demand a great deal of ingenuity—not only intellectual ingenuity but also very real political and economic ingenuity. All of us are cheapened by our failure to have come to grips with this issue, with the frustrations, with the poverty, with the sense of lost opportunity and with the solitudes, the silences and the resentments that have grown up for so long between the communities of this province and of this country.

9:10 p.m.

I see this as a real opportunity. I saw it as an opportunity at the time of the constitutional debate when I was a federal member in Ottawa. I saw it as an opportunity when our federal leader made an extraordinary effort to involve the leadership of the Indian and native communities in that process, however flawed it was, and at least to get some recognition. When we came back after the Premiers made their agreement, we managed to get it back on the agenda again. We have made a last-ditch effort now to establish the process of consultation and get it built into the system. So we have made that degree and amount of progress.

I want to suggest that we are now up against what I call the short, short strokes. We are now in a situation where the good faith and the integrity of government itself are at stake. Unless we make some very real progress with respect to the issues that I and my colleagues have described, with respect to the issues of land claims and self-government and with respect to the particular issues of wild rice, fishing, hunting and resource management, and unless we do that quickly, we are sowing the seeds of our own destruction. That is a very real feeling on our side. That is a very real feeling on the part of our members. That is why we have participated in this debate in the way in which we have.

I would also like to say that I am personally sorry the Premier chose not to participate in a debate of this historic importance. It is not often that an assembly such as ours gets to discuss an amendment to the Constitution of this country, and I find it peculiar, to put it mildly, that the Premier would have chosen not to involve himself in discussions. It casts some doubt in my own mind as to the seriousness which this government attaches to the process that is under way. It is a process which we do take seriously, and I hope to God they take it seriously on the other side.

Hon. Mr. Bernier: Mr. Speaker, as a member who has some responsibility for about 21 or 22 reserves in his riding, as one who has lived in northern Ontario for some half a century now, as one who has lived, worked and played with the native people of that area and as one who over the course of the past 17 years of his political life has gained a certain amount of trust and respect—and that is reflected at the polls—I might say at the outset that I have some contribution to make to this debate.

I look upon it as a very historic debate, one that has never happened before in my 17 years

here. I suppose one could look on it as historic as the debate we had in this Legislature with respect to the referendum in Quebec. To me it has more importance. I did get involved in that debate with a great deal of sensitivity because of my French-Canadian background, but I also have a background that is fairly closely connected with the native people of northwestern Ontario, and I am very proud of that.

Members may not realize, but my father-in-law was married to a full-blooded Indian. She was from the riding of Lake Nipigon; she was from Cat Lake. She was married to my wife's father, Dallas Gastmeier, and they operated a fur trading store at Allan Water, Savant Lake and Alcona. That was in the early 1920s. They had three sons. One of them is still living in my own home town of Hudson, and he is very much part of our family. There is no question about that.

As one who has lived with that particular situation, as one who for 35 years now in his married life has been part of a family that is connected with the native people and has seen firsthand the problems that they and their children are associated with, I feel that I am very well qualified to speak in this debate.

I listened with some interest to the other members of the Legislature. I listened to the leader of the New Democrats speak, and I have to say to the honourable member that after a couple of trips, maybe one or two trips to northwestern Ontario, people sometimes become authorities. We refer to those people as inners and outers. They come in for a day and they are gone again. They do not really get the feel we have in northwestern and northern Ontario. However, I do appreciate the comments. As I will point out, I appreciate and certainly welcome the contribution other members have made.

At the outset, I want to compliment my colleague the member for High Park-Swansea (Mr. Shymko) for his efforts. He made mention of the fact that he felt very strongly we should have in this Legislature a member of the native community. I have made this suggestion on a number of occasions.

The member for Lake Nipigon (Mr. Stokes) will recall when I suggested that there should be a riding from Moosonee to the Manitoba border, taking the top of the Kenora riding, the top of the Lake Nipigon riding and the top of the Cochrane North riding and making that a separate riding. If we were to do that, we would have a member from the native community sitting in

this Legislature, speaking for the people of that area and indeed for all the native people of Ontario.

That has not happened yet. Maybe it will with the redistribution of the electoral boundaries in the next go-around. There is a golden opportunity for that to happen. I hope I am still around when it does happen, because in my own heart I know that the three members who look after that vast area of the remote north do not look after it as well as they should.

We get up there one, two or perhaps three times a year. I make it a point to get up there on a regular basis, but I think a local member elected in that area could do a much better job. I compliment the member for High Park-Swansea for making that suggestion, to which I give strong support.

My colleague the Minister of Intergovernmental Affairs (Mr. Wells) has outlined the process through which we have travelled to reach this historic moment in the life of our country, this province and our first citizens.

In reviewing the remarks of others who have preceded me in this debate, I find not only that a number of very important matters have already been addressed at length but also that there appears to be a strong sense of commitment by all the members of this Legislature. We are now embarking on a new and, I hope, more exciting chapter in our relations with our aboriginal people.

I was impressed by the remarks of the member for Algoma (Mr. Wildman) and the member for Lake Nipigon and by the excellent remarks of the member for Brant-Oxford-Norfolk (Mr. Nixon). In their statements, those members brought to our attention the broad range of needs and aspirations of the native peoples of this province.

The member for Lake Nipigon described accurately and very well the northern woodland Cree and Ojibway people who live in his riding and in my own riding of Kenora. The problems he discussed are both immediate and graphic, and concern the absolute necessity of ensuring an economic base for a growing population wholly dependent on fishing, hunting and trapping.

All these communities are isolated geographically. The cost to both governments and the individual band members is high and growing each year. As the member for Cochrane North (Mr. Piché) mentioned in his remarks, my ministry has just completed an in-depth study of the high cost of transportation and living in the remote north. At present, we are waiting for

comments by the various bands, by the various tribal groups and by the various treaty groups to that study and report. Then we hope to take action on some of the many recommendations. I might say we have already acted on a number of those recommendations, and these will be spelled out at another place and time.

I am pleased that some steps have been taken in recent years. To listen to some members, one would think nothing has happened in the remote parts of northern Ontario with respect to our native people. That is not totally correct.

We have improved our communications and now can guarantee year-round access to supplies through such provincially funded programs as our airstrip development program, which up to this time has cost this province about \$25 million; our radio and television communications program, which has cost about \$17 million; and our winter roads program, which costs about \$500,000 annually to serve that vast area of the remote north.

In addition, I am pleased to say my ministry, in co-operation with TVOntario, is bringing coverage to about 160 pockets of population throughout that entire part of northern Ontario at a cost of some \$3 million.

9:20 p.m.

I had the privilege to be in Sandy Lake about a year and a half ago and I was most impressed to meet with the chief, Tom Fiddler. He invited me to his home and he said, "Leo, I want you to see what has happened here." We walked into his living room, he turned to the door and he flipped a switch. On went electric lights. He walked over to the corner where he had a 26-inch colour television set. He turned it on. Then he walked over to the table, he picked up the telephone and dialed his son Jonas. He said, "Jonas, come on over, Leo's here."

He said: "Leo, that was not here 10 or 15 years ago. It's here now. We have electricity in Sandy Lake. I have television perfectly clear via satellite and via other transmissions. I have a modern telephone system and, believe it or not, I get my mail every day because of the airstrip that was developed there. That is something we never had before."

Mr. Stokes: Does he have a job?

Hon. Mr. Bernier: Does he have a job now? The member knows as well I do that there is very little economic base there, but the basic necessities of life are being put in place. That same gentlemen, a few years prior to that, was in front of these buildings when Queen Elizabeth

was here. He presented her with a personal letter thanking her for the things the federal and provincial governments of this country had done for his people.

It was a step forward; not a big step but he was grateful for what had been done in the field of health, affecting his culture and improving the quality of life. That was a very inspiring moment. I do not want the House to feel nothing is happening in northern Ontario. I think the member for Lake Nipigon will agree that as long as we have been in this Legislature—and we have been around here for about 17 years—many changes have occurred in the remote parts of that particular area, albeit slower than we would have liked. I grant that, but there are changes and they are coming about.

Mr. Stokes: What about Deer Lake, North Spirit?

Hon. Mr. Bernier: Deer Lake? I was there two weeks ago to open a new \$1.2-million airport. They are very pleased and excited. Has the member ever heard of an Indian reservation talking about a new subdivision? That was not heard of 10 years ago. Now they are talking about a subdivision of 12 to 15 homes; so things are happening.

Mr. Stokes: When are you going to give them land?

Hon. Mr. Bernier: We give them land. Oh yes, I want to talk about that. I was interested to hear the member's remarks. I also think the member for Lake Nipigon made some comments about the problems they are having with some land in Summer Beaver and Slate Falls. I want to point out to the House that I was Minister of Natural Resources when we settled the Big Trout issue.

It took some time. It took many years of discussion, because the native people had some difficulty deciding how much land they really wanted. Look at Sachigo today. It took us meeting after meeting to get them to decide the areas they wanted because they ended up with three sections. They have Ponask as a separate reservation, they have Sachigo and they have the Sachigo hills. That took time to develop. It does take time when one is working with an Indian band, with the federal government and with the provincial government.

I can tell the House the sincerity was there from this government's point of view to make those reservations and we did it. We are on the verge of doing it for Deer Lake and North Spirit Lake. Those things are moving ahead. They are slow, I have to admit that, but they are happening.

To supplement the efforts of the federal health authorities, we now have a fleet of dedicated aircraft to provide fast and efficient air ambulance services to those communities right across northwestern Ontario. There are 19 airstrips that are able to take those air ambulances and put those people within one hour of a major medical referral centre in this province, something that was not there five or 10 years ago.

The housing problems which my friend the member for Lake Nipigon stressed so well are very real, not on only some reserves in northwestern Ontario but on all of them. Necessary community infrastructure services are badly needed by a great many communities which are getting larger and larger each year as the population increases.

As I said a moment ago, things are improving with respect to communications. As the Wawatay News recently pointed out, the Minister of Transportation and Communications (Mr. Snow) and I were there to officially open that new airstrip at a cost of \$1.6 million.

I am very pleased that more members of the opposition are taking the time to go up to northern Ontario to meet those people and see them at first hand. It was good to see the elders—their pictures are in the paper, in the Wawatay News I have here in my hand—gathered at that official airport opening, and to have the Rev. Alex Barkman stand there in his place and give the blessing to the airport through an interpreter.

He pointed out that he had been in Sachigo since he was seven years of age, and he is now seeing the changes and is very pleased, not only for himself but for his children who are living in the Sachigo area. They now have communications, provided by the provincial government, that will give them the daily services and medical services they need. They are very grateful that things are happening.

Mr. Stokes: Did he tell the minister how much he paid for a gallon of gas?

Hon. Mr. Bernier: It will be a lot cheaper now that the airstrip is in place. There is no question about that.

On this same point, the federal member for our area, John Reid, and I were invited to Round Lake about a year and a half ago to attend the 50th anniversary of the Round Lake Indian band. The member for Lake Nipigon may know Saul Keeash, the former chief. He stood there on the platform and recited, chapter and verse, 37 different programs that the federal

and provincial governments have brought in during the last few years that have directly helped his people in that area. It was gratifying, because it was unexpected and unsolicited, to hear a former chief recite to all these people and to us. It was a very satisfying feeling indeed.

Comforting though it was, again I have to say that some of these things are coming much more slowly than I would have liked. To deal with these problems adequately, we clearly cannot confine our view of the needs of these communities to the quest merely to right the wrongs of history or to a too narrow interpretation of the provisions of the various treaties signed by the federal government and the various Indian bands in this province.

This brings me to my second observation, which was very well addressed by my friend the member for Algoma. That is the necessity to avoid a too narrow interpretation of the word "existing" as it relates to the moral relationship between government and our native people. I fully agree that Canada's view of its moral commitment to these citizens cannot limit their rights in any way. On the contrary, our constitutional framework for aboriginal rights should be sufficiently flexible that it can adapt to the changing needs of Indian people in the years ahead.

In a conversation with the Attorney General (Mr. McMurtry) this afternoon, he pointed out to me that the legal experts of this province pointed out to him that the word "existing" in the Constitution as it is written does not really change anything. However, he correctly pointed out that some of the other provinces do not share that view. I think we agree on that. That is where the problem lies.

Mr. Haggerty: Which provinces? Tell us.

Hon. Mr. Bernier: The member knows which ones. I do not have to tell him.

The member for Brant-Oxford-Norfolk in his remarks spoke eloquently of the way of life of the Six Nations Indians, the sophistication of public services and administration which the elected band council provides.

Indeed, in the examples he chose, a case could well be made in support of suggestions now being studied by a parliamentary committee in Ottawa—I believe it is chaired by the former member from my area, Keith Penner—to introduce a much broader system of self-government for reserves across Canada and a greater degree of autonomy in the operation of their band schools.

I was pleased to read, again in the Wa Wa Tay

News, a copy of which I have here, that they are moving in that direction. It is encouraging to read that in the Sioux Lookout district alone, 25 per cent of the full-time teaching staff are natives and another 29 per cent of the classroom assistants are natives. That is a major step forward, and I am sure the member for Lake Nipigon will agree that we are heading in the right direction and getting the right people in those classrooms. Now we must take the next step and give them total control and autonomy in the educational system.

What we see in the remarks so far in this debate is the complex range of interests of native peoples and the varying degrees of economic, political and cultural self-sufficiency of the different communities.

9:30 p.m.

When this amendment to our Constitution is in place, it is my hope that the federal and provincial governments will begin the important task of redefining their areas of jurisdiction and that this redefinition of responsibility will include a much larger place for Indian band councils than has been possible up to now. As I move around to the various Indian bands and reservations as a minister or as a local member, if there is one problem I see it is to find out where the area of responsibility really lies.

In many cases we have extended beyond what some people think is our provincial responsibility. In the economic development field, when I was Minister of Natural Resources I remember having staff go to Lake Winnipeg and actually purchase a shallow fishing boat that we trucked to Round Lake where we put it on a helicopter and flew it to Sachigo Lake to assist them in their fishing operations. Many people said it was not our jurisdiction, but we saw a need and we answered that need. I was pleased to be part of it.

When this constitutional amendment is in place, I hope a whole new Indian policy would emerge that will be able to address not only the desperate needs of communities such as those in my riding and in Lake Nipigon riding, but the needs of the Six Nations Indians and many others as well. We must also recognize that at no point since Confederation has Canada been prepared to respond to the varying needs of Indian communities. It has always been the other way around.

At the time of Confederation, and for virtually 100 years, the policy of the federal government has been to assimilate all Indian cultures into the European cultures of Canada without spe-

cial legal status, without a land base and without distinctive cultural and political institutions. Clearly, this policy is unacceptable to our native people and to all other Canadians. By this constitutional amendment we are, in effect, saying it is unacceptable to the laws of Canada.

Mr. Stokes: You have all the crown land.

Hon. Mr. Bernier: They will get it.

Where do we go from here? In my view we begin by removing the paternalism of government in establishing co-operative mechanisms to establish development priorities, acceptable living standards and an economic base sufficient to meet the needs of each Indian community in the country.

I do not believe our native people will any longer tolerate their isolation from the decision-making process that affects their day-to-day lives and the confrontational relationship which so often characterizes their relationships with the federal government.

Provincial governments also need to know how they can co-operate with the federal government in new and more creative ways to provide services on the reserve and to assist those who choose to live and work off the reserve. To integrate, and if so to what extent or to remain living on a reserve is a decision which each native person must feel free to make without bureaucratic interference and without the fear of loss of rights or loss of support.

A new co-operative approach to policy formation should also include the participation of municipal governments who are called upon to provide services which are not infrequently beyond their financial capacity. It should include as well, other users of the resources of this great country.

I believe we have more than enough wealth in this country to provide for the needs of all Canadians, native, non-native, Metis and those of us from other parts of the world. We are one of the great cultural mosaics of the world and we must ensure the rights and privileges of each. I do not believe it is an impossible task. If we develop a sufficiently flexible approach to meet the complex needs of all Canadians, there is ample room in Canada for all of us.

I hope and pray that this constitutional amendment will bury once and for all the narrow paternalism of the past, the bureaucratic nightmares which have enmeshed our native communities and strangled their creativity and the jurisdictional straitjacket of federal-provincial relationships on questions affecting our native peoples.

Mr. Stokes: What about the fishing agreement? You didn't mention that.

Hon. Mr. Bernier: The feds have killed it.

Hon. Mr. Wells: Mr. Speaker, may I just conclude for a minute? I think it is in order for the mover to round out the debate. I do not want to be long, but I would just like to say that—

Mr. Stokes: Please do, because you missed most of it.

Hon. Mr. Wells: No, I have read most of it. I have read it all.

I was going to say to my friend and to all those who took part that I thought their contributions were excellent. This is probably the most important debate we have had in this House on native issues and on aboriginal matters, and the contributions of all members were excellent. I think they indicate that all parties are of one mind that we should be moving ahead to solve many of these problems, to address ourselves to some of the wrongs that have existed and to recognize the rights of our aboriginal peoples in this province.

We may all have different ways of solving some of those problems, but we all on all sides of this House are committed to that particular end and I think the discussions that took place in this particular debate indicated that. I think we have moved one small step forward in asserting and assenting to the rights of the aboriginal peoples of this province by what we are doing tonight in passing this constitutional amendment.

This amendment is a first, of course, for this Legislature because it is the first time we have taken part officially in an amending process to the Constitution of Canada. It is also the first time that the new amending procedures for our Canadian Constitution have come into play. For 116 years we had no formal way of amending the Constitution. We now have a method; it is being used for the first time, and I think very rightly so, to take that one small but very important step forward in the area of aboriginal rights and our affirmation of them to the native peoples of this province and of this country.

This resolution, of course, has been passed by the House of Commons; it has not yet been passed by the Senate, so the federal process is not completed. It has been passed by the Nova Scotia Legislature, the New Brunswick Legislature, the Prince Edward Island Legislature, the Manitoba Legislature and the Alberta Legislature. When we pass this tonight we will, of course, become the sixth province to pass it. One more provincial passage will be required,

and the official passage by the Senate, to make it part of Canada's Constitution.

I think it has been a very important debate and that the contributions of all members will be heeded by all of us who have to bring forward programs and planning in this particular area. I would urge the members of this House to enthusiastically and unanimously carry this resolution tonight.

The Deputy Speaker: We thank all the members for their participation.

Hon. Mr. Wells: Mr. Speaker, I am sorry. If I have the consent of the House, I might just indicate that my friend the Attorney General (Mr. McMurtry), who took part in all these meetings with me as we worked up to this particular amendment, intended to make a contribution tonight but could not be here because he had to be at the dinner for the Ombudsman. He wanted me to say that he did have some important remarks to make and he will have a chance to make them, he hopes, on another occasion in the House on this very important matter.

The Deputy Speaker: The vote is on resolution 10.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

I declare the motion carried unanimously.

Resolution concurred in.

REGIONAL AND METROPOLITAN MUNICIPALITIES AMENDMENT ACT

Hon. G. W. Taylor moved second reading of Bill 86, An Act to amend certain Acts respecting Regional and Metropolitan Municipalities.

Hon. G. W. Taylor: Mr. Speaker, on this matter, it is a consolidation of amendments to a number of bills respecting regional and metropolitan municipalities. This bill amends nine statutes establishing regional municipalities and the Municipality of Metropolitan Toronto Act. Each of these acts currently requires at least one member of the board of commissioners of police to be a judge. This requirement is being removed. It is similar to an amendment that was made in the Police Act in 1979. It is really intended to afford greater flexibility in making appointments to regional boards and the Metropolitan Toronto police board. I think it is in line with today's thinking on judges performing duties for police commissions. It is one that I do not think needs great elaboration and debate and one that I put forward and await the

comments of other members of the House. I am mentioning this so that one can see the context.

9:40 p.m.

Bill 87 is a companion bill. I would propose to ease the convenience of the House if it is possible to have first and second reading on both these bills and then put them into committee of the whole House at the same time. If that aids further debate on the matter, I put those recommendations to you, Mr. Speaker.

Mr. Spensieri: Mr. Speaker, I am pleased to make what will surely be a brief intervention on this second reading. As the Solicitor General has indicated, it is a rather modest amendment to the existing statutes and it would not be in order for any of us to engage in too long a debate.

However, a number of things should be said and perhaps one could begin by saying that the previous requirement contained in the various municipality statutes required that the judge be a judge from a county or district court designated by the Lieutenant Governor in Council. By removing this requirement, the present bill still makes it quite optional on the Lieutenant Governor to appoint, as one of the members, a person who may very well be a judge.

Current thinking and experience in this field seem to suggest that the presence of a person trained and having the duties and responsibilities of a judge does not always lend any greater efficacy to the board of commissioners. On this side of the House we would have preferred perhaps to see the wording as requiring that no person who was a judge be eligible for appointment.

However, we are certain, and the Solicitor General has indicated in other places, that the practice of continuing to appoint judges will in all likelihood be discontinued, particularly given the ever-increasing pressures they have come under as a result of the case load which seems to be increasing in every one of the metropolitan areas affected by this bill.

In essence, we consider the bill to be supportable in its present form and we would hope the Solicitor General will indicate clearly on record that it would be the preference, intent and certainly stated policy of this government at this time that future appointments stay away from members of the bench.

With those remarks and reserving further remarks on the companion bill, I will conclude.

Mr. Renwick: Mr. Speaker, I would like to speak to Bill 86, an Act to amend certain Acts

respecting Regional and Metropolitan Municipalities, as it touches upon police matters. First of all, I would like to express in the House—and I know I do on behalf of all members present—the shock and concern we experienced when we read of what appears to be the senseless, mindless killing of police officer David Utman in the Ottawa area two or three days ago. The funeral was held yesterday.

Whenever we touch upon police matters, there is usually a sense that we are talking about people we know, people we have come to have confidence in. When these acts of mindless violence occur in our society, it affects all of us, particularly those of us in this assembly who represent all the people of Ontario collectively. I think we, in particular, have an obligation to express our concern, our sympathy and our understanding of the role police officers play in providing the protection society requires. They play their part on our behalf and as our delegates.

I would express our concern to the family of that deceased police officer without presumption, on behalf of all the members of the assembly at this untimely, useless and mindless act. As reported in the press, it deprived the city of a man who was dedicated in his interest in the police profession. His brief history would indicate this dedication deserves our highest approbation.

We had a most interesting discussion in our caucus this morning about the provisions of this bill and about the companion bill, Bill 87, dealing with the amendments to the Police Act. Our discussion was mainly concerned with the provision related to the composition of police commissions, which has been a matter of continuous comment in this assembly for a long time.

We all welcomed the amendment to the Police Act in 1979 that removed the mandatory obligation that police commissions falling under the purview of that act must of necessity have a judge as a member. I have never followed it that closely so I do not know to what extent there has been a grandfathering of the judges on those various police commissions throughout the province to which the Police Act applies.

I have, however, been aware of the mandatory requirement that a judge be a member of the police commission in all the regional governments in the province, including the Metropolitan Toronto region. Indeed, in the Metropolitan Toronto area we have had the anomaly of two judges, a county court judge and provin-

cial court judge. It has been the tradition—certainly well known to the Conservative Party—that the chairman of the board of police commissioners in Metropolitan Toronto should be a provincial court judge. Those are matters of history and do not need any recitation on my part.

In our discussion in caucus it was interesting to listen to my colleagues who were speaking about two aspects of the question. One was this: is it sufficient at this time that the Solicitor General can say to the assembly that it will no longer be mandatory that there be a judge of the county court as a member of the regional government's board of police commissioners? Is it sufficient to say that it is no longer mandatory that there be a judge as a member of the Metropolitan Toronto Board of Police Commissioners? One of the incidental changes brought about by the bill is the renaming from the more cumbersome title of the Metropolitan board to the shorter form.

9:50 p.m.

Our caucus felt very strongly, certainly the Metropolitan Toronto members felt strongly and the other members of the caucus expressed their views positively on the question, that it was important that the act would require specifically and make provision that no person holding a position as a judge and exercising the functions of a judge should be a member of any police commission, specifically any regional board of police commissioners or the Metropolitan Toronto Board of Police Commissioners or any of the other boards of police commissioners, on a permissive basis or otherwise.

In other words, we wanted to preclude the government of Ontario from appointing any judges as members of boards of police commissioners in the future. In addition, our caucus felt strongly that it was important to make certain that those judges who now served on boards of police commissioners in Ontario at all levels should not be eligible for reappointment at the expiration of their existing terms.

The feeling was that it was important from our point of view, regardless of whatever views the government may have had in the mixture of views which obviously the members of the Conservative Party would express on such an issue or that my colleagues in the Liberal Party would express, not to leave the permissive factor available to the government of Ontario with respect to future appointments but also specifically to provide in the bill a provision that no present appointee who is a judge would be

eligible for reappointment on the expiration of his term.

We would, therefore, propose when the bill goes into committee, and it is our intention, as I advised the Solicitor General and my colleague the critic for the Liberal Party, to put the bill in committee, at the appropriate time to move the amendment to give effect to those prohibitions. I would trust in the course of the exchange on the debate that the reasonableness and the positive nature of the position we put on that issue would be accepted by the government, and accepted by the Liberal Party.

The second concern we had with respect to the bill is about the financing of police. My colleague the member for Welland-Thorold (Mr. Swart) is much more knowledgeable about these matters than I, having been a municipal councillor for a long time, just as other members, both in the Conservative Party and the Liberal Party, have served as municipal councillors. Perhaps some of them may have served as members on boards of police commissioners, as my colleague the member for Welland-Thorold so served.

A major concern we had is in the question of the financing of the police by the municipalities. I think it is somewhat trite to say there should be a better relationship between those who bear the burden of determining the number of dollars which are to be spent and have the responsibility for raising the number of dollars that are required, along with whatever grants are made available from the provincial government, to ensure some balance, and those members of the police commissions who are appointees of the government of Ontario. They should bear a proper proportionate relationship to those members who are representative of the communities to which the police forces are accountable in the ultimate sense.

I think it is trite to say, whatever the actual figures are, that substantially more than two thirds of the cost of the police forces in any municipality in Ontario are borne within the local municipalities by the general rates which are imposed upon the citizenry of that municipality and to whom the elected members of the municipal councils are responsible.

We, therefore, would propose a second amendment, a very important amendment, which I think would appeal to all members of the assembly because of the stated position of the government on so many occasions, that municipal autonomy is a matter close and dear to the hearts of the Conservative government and of

the Liberal Party. It is that in some way the suggested amendment—not of major significance—should change the balance of those boards so that the amendment which now provides that two members of the five-man boards will be appointees, one way or another, of the municipal authority and three members will be appointees of the provincial government would simply be reversed. That is a very seductive proposition, I hope. It is not a major change. It is not a matter of suggesting that every vote that comes before a police commission at the regional level or at the Metropolitan Toronto level is always subject to a vote which is split between the rival factions on the board; that is not the way the boards operate.

I think it would be a sign of good faith in the proposition that the municipal politicians, who have the responsibility for raising the money and expending the funds to maintain in large proportion the municipal police forces in the regions and in Metropolitan Toronto, should be able to say what makes sense. Members will note that we have not gone to any extreme position; the extreme positions tend to be the positions of the Conservative Party or the Liberal Party. We have tried to come right up the middle simply to say just reverse the numbers. Pretend it was a typographical error in the bill and that they really meant that two members would be appointed by the Lieutenant Governor in Council and three members would be within the purview of the municipal authorities.

It is a sleight-of-hand game and, considering the lack of attention which is paid to this assembly, I do not think anybody would notice if we passed that bill tonight. I do not think that it would explode within the regional municipalities or otherwise if it was suddenly learned that the municipal councils were to have the authority to elect three as distinct from two and the Lieutenant Governor in Council could only appoint two instead of three. I do not think it would be considered a revolution in the municipal life of the country. I think this assembly in its contemplative view—and it is only those members who are in the assembly tonight who are really interested in this topic—will see the sweet reasonableness of the proposition I place before the assembly with respect to our second amendment.

I know it will be perhaps said that in the fullness of time we could change three to two and two to three, but maybe tonight we could grasp the nettle and change three to two and two to three in that bill. That is what we would like

to try to do because we have the members with the greatest wisdom, the greatest interest and the greatest knowledge of municipal affairs here assembled tonight, small as that number may be. When the point comes up in committee of the whole House, I would urge that the House seriously to consider supporting that second amendment as well, of course, as the first amendment I have put before it.

In order not to antagonize, because we are not engaged in confrontation, as my colleagues the Liberals are with the Conservative Party on these issues, we are not going to vote against the bill on its second reading. We are not going to oppose it. We simply want reason to prevail in committee on the two amendments I have said we in this party propose.

10 p.m.

The third one is of greater interest to those members who represent the ridings of Metropolitan Toronto, of whom so many are in attendance in the House tonight. The Minister for Intergovernmental Affairs (Mr. Wells), my colleague the member for Bellwoods (Mr. McClellan) and I, perhaps represent the cream of the crop when it comes to discussion of this kind of question.

Interjection.

Mr. Renwick: Forgive me. My colleague the member for Yorkview (Mr. Spensieri) is here. So there are four of us here tonight who would respond positively to the real concern expressed in Metropolitan Toronto about the lack of representation on the Metropolitan Board of Commissioners of Police of the community for which they are responsible in relation to the administration of the police.

We will, therefore, be proposing an amendment to do two things, one of which will be to increase substantially the number of the Metropolitan Board of Commissioners of Police in a real sense, in a way that will appeal, I trust, to the members of the assembly who are here tonight.

Numbers have a certain magic to them. I am not certain what one calls those numbers that are not divisible by any other number, but if my recollection is correct, there is a specific term. Nineteen is one of those numbers. Nothing can be done with 19. One cannot divide it. It does not divide into anything, except by the use of my computer. I do not know what it does if one finds the square root of 19. In itself is a magic number and that is the number we in our party

have selected as the maximum number for the Metropolitan Board of Commissioners of Police.

The number is made up this way, and it is quite simple. The chairman of the metropolitan council,—perhaps those with a pencil could add them up—and, in addition, one member of the metropolitan council, appointed by the metropolitan council. That would reduce the total number of appointees, or members of metropolitan council as such, from three to two; that is, the chairman and one member as distinct from the chairman and two members, as is proposed in the bill and as has been the case for some time.

It seemed to us to make very good sense that there should be one member of the council of each of the municipalities in Metropolitan Toronto who is not a member of the metropolitan council. One member of each of those councils should be appointed by that area municipal council. It is the sense of our caucus that the dispersal of the membership throughout, so that each area municipality would have one member who is a member of council on that Metropolitan Board of Commissioners of Police, would be a useful and important addition to achieve the goals we are concerned about in the Metro police commission. If my numbers are correct, I believe there are six area municipalities: Toronto, York, East York, Scarborough, North York and Etobicoke. That would, therefore, bring my numbers up to eight members.

The next portion of our amendment would be to provide for nine further members of the commission who are not members of any area municipal council, who would be appointed by the metropolitan council. In other words, there would be nine members added to the board of police commissioners from among the general citizenry, to be appointed by metropolitan council. The only disability they would be under is that they could not be a member of any council in Metropolitan Toronto.

That would bring the number to 17. Then, to preserve for always the integrity and the virtue of the government of Ontario, two members would be appointed by the Lieutenant Governor in Council. This would make a total of 19 members on the Metropolitan Board of Commissioners of Police.

For those who fear a revolution if such an amendment were passed, there would still be a majority of government members over citizen members. With the two appointees of the provincial government, those who are elected either at the metropolitan council level or in the area

municipalities would have a voting edge of 10 to nine over those who were represented simply in their role as citizens.

I am sure the magic of those numbers will appeal to my friend the Solicitor General. I think the Minister of Intergovernmental Affairs will also understand the importance of these amendments, as he is a member from Metropolitan Toronto. He will understand the necessity of making certain the Metropolitan Board of Commissioners of Police in Metro reflects appropriately the kind of society the city represents.

To make sure there would be no confusion about that, we would make all those appointments subject to a clause in the amendment we will introduce in committee. We simply state that in making any appointments under the provision for that composition of the Metro police commission, "regard shall be had to the cultural, racial, social and economic complexity of Metropolitan Toronto to ensure the Metropolitan Toronto board reflects that complexity."

I know the Solicitor General would like these bills to pass without any particular comment. Indeed, when he was speaking on October 13 to the municipal police authorities, he noted these proposed amendments and was careful to indicate this did not in any way affect the ongoing review of the Police Act. He suggested the amendments as he would propose them were matters that generally would receive widespread approbation. He said they should simply be passed because the government thought this was the time to make some minor changes.

As soon as I sit down I will circulate copies of the three proposed amendments to the Solicitor General, the Liberal Party critic of the Solicitor General and to any other members who are interested. Briefly, I would summarize them as being first, a specific prohibition against judges being appointed to police commissions and the ancillary prohibition against the renewal of the appointment of any present judge who holds a position on a police commission.

10:10 p.m.

Second, we would make the simple transition of providing that the balance of appointing authority would be for the municipalities to appoint three members and the government of Ontario to appoint two in those areas where there were to be five-person boards.

Third, in view of the concerns that have been expressed over the years with respect to the composition of the Metropolitan Toronto police board, we should give here and now specific consideration to the proposal to make a sub-

stantial, balanced, intelligent increase in the numbers of the Metropolitan Board of Commissioners of Police for the purpose, as I have said, of reflecting the cultural, racial, social and economic complexity of the metropolitan area.

I am certain that my remarks, together with whatever remarks my colleague the member for Welland-Thorold (Mr. Swart) would choose to make in amplification of these amendments and, more than anything else, with the reasonableness of the amendments, the essential integrity of the process we are engaged in here tonight amongst this select group of intelligent, wise and deliberative members of the assembly, at this particular time, each of those three amendments will have the unanimous approval of the assembly in committee.

In order not to antagonize anyone from the rational concern and consideration of those amendments, we are not going to oppose the bill on second reading, but I did want to give some intimation of the amendments we would propose in committee of the whole House on Bill 86.

On Bill 87, while we will deal with it, we can deal with it somewhat more briefly. Two of the proposed amendments are, of course, appropriate for that bill; namely, the exclusion of the judges from any role to play in the other boards of police commissioners, and we will propose the amendments to that effect in due course but will not need to speak at any length on them. Second, again the reaffirmation of the exclusion of anyone performing a judicial function from membership on the boards of police commissioners either now or in the future or by renewal of his appointment because in my private discussions with the Solicitor General about them—and I think he will forgive me for saying so—we are in total agreement on one proposition, that the roles of judges and the roles of members of the boards of police commissioners are incompatible, and I think that is a good word to express the thrust of the amendments.

With those few words I would solicit in committee the support of the assembly for the amendments we will propose.

Mr. Epp: Mr. Speaker, from the outset I want to associate myself generally with the views expressed by the member for Yorkview (Mr. Spensieri) and the member for Riverdale.

In speaking to Bill 86, An Act to amend certain Acts respecting Regional and Metropolitan Municipalities, it is somewhat surprising to me that whereas the act was changed for smaller municipalities some years ago, there has been a

delay of four years or so in making the amendment for regional and metropolitan municipalities. Surely, if the need was there for the smaller municipalities a few years ago, the need was there for the larger municipalities to make the amendment whereby judges not only cannot sit on police commissions but should not sit on police commissions.

I want to associate myself with the amendment that the member for Riverdale has mentioned he wants to introduce whereby judges will be asked not to sit on commissions and will not qualify for that position.

In particular, I want to mention an instance in my own regional municipality of Waterloo where a judge had a potential conflict of interest in serving both on the police commission and on the bench in hearing the officers who came before him. I do not think even a judge in his great wisdom can completely forget, when he is on the bench, that he is a police commissioner and maybe that same evening, for that same officer, will have to determine his salary. When that officer is presenting evidence in court during the day and then that evening the judge has to decide whether that officer as well as 650 others should get a raise in pay or should be reprimanded because he has committed some offence, or whatever the case might be, I do not think it is fair to the system, nor do I think it is fair to the judge.

So I commend the minister for bringing in this amendment but I do not think he has gone far enough. I think he feels personally that the change should be made completely, but I guess he is trying to tiptoe through the tulips and no step too harshly on the toes of some people, in this case, the judiciary, whom he might offend. Maybe he feels he would offend them if he completely eliminated the possibility of their serving on police commissions.

I mentioned my own regional municipality because we have a serious situation there where we have two police chiefs, one in the person of Syd Brown, a name well known in this province and the other being Harold Basse. We are paying each of them over \$40,000; the active police chief much more. The reason I raise this is that the only person still on the police commission now who was on the police commission when Mr. Brown was hired some seven or eight years ago, is the judge.

He is still on the police commission, so we would think that at some time in the future this particular situation is going to be rectified. I have no ill feeling towards the judge, I just think

it is unfortunate that he has been put in that position, and it is unfortunate that the Legislature has moved so slowly in trying to rectify it.

While speaking to this bill I would like to ask whether the Solicitor General would try to rectify a serious oversight whereby regional municipalities and the larger, regionalized municipalities—with the exception of Ottawa-Carleton, as my colleague the member for Ottawa East (Mr. Roy) well knows—get only \$12 per capita as opposed to \$17. It is an incredible injustice to the people in the smaller municipalities as well as that one regional municipality that they should be so discriminated against, and yet this government of 40 years continues to discriminate against those people.

It is said a new broom sweeps clean. I look to the Solicitor General and I only hope that for a change, he will impose his views on the new Treasurer (Mr. Grossman), who says he is going to start a whole new system of reviewing the budget and consult with the people of the province. I only wish the Treasurer would have such foresight and consult with the Solicitor General, who obviously is embarrassed by the inequalities that he practises as a member of the government of this province.

One further point is the matter whereby the number of municipal appointees to police commissions will be increased by one and the number of appointees made by the province will be increased by one, for a total of five for areas with populations over 25,000.

10:20 p.m.

I certainly can clearly associate myself with the views of the member for Yorkview (Mr. Spensieri) and the member for Riverdale (Mr. Renwick) when they suggest this should be reversed. I am one who has mentioned this ever since I came to the Legislature six years ago and I hope the Solicitor General in his "sweet reasonableness" will reverse that particular thrust and give the municipalities the say for which they are paying.

As he knows, there is an old saying, "Whoever pays the piper calls the tune." He knows and I know that he is calling the tune and he is not paying the piper. I think he should have a sleepless night tonight thinking of how he is stealing from the municipalities the right to have three representatives on those police commissions. He is stealing them for the province because, in fact, they should have three and he should have only two. How can he sleep at night with that on his conscience? I say, "Shame," to

the Solicitor General if he does not go along with the particular amendment that is going to be proposed. I only hope he sees the light before the bill is passed and goes along with the amendment.

If the Solicitor General says he cannot support an amendment presented by the opposition, that he can support only his own amendment, I would ask him to be reasonable as was the transport minister earlier today when he spoke to Bill 61, An Act to regulate Off-Road Vehicles. He was able, in a very positive manner, to go along with some of the suggestions made by the opposition parties, in particular those made by my colleagues the member for Prescott-Russell (Mr. Boudria) and the member for Wentworth North (Mr. Cunningham). He went along with those two suggestions and I hope the Solicitor General is big enough, and I am sure he is, to go along with the suggestions to increase municipal representation so the municipalities, which pay the most money and are accountable to the people, as my colleague the member for Erie (Mr. Haggerty) says, will have the power to appoint the majority of the members on the police commission.

That is where the real power should be. That is where the real authority should be. They should have the opportunity to appoint the majority number of members to their police commissions, because they are the closest to the people, as the minister and I both know. I think it is something he can easily accept and he will be recognized as making a very courageous move, a progressive move, at a time when there is not a lot of courage over there. We see that from time to time and he could show himself as being a leader among the people over there and across the province.

So I implore the Solicitor General to go along with those amendments and to show the kind of leadership for which he has been elected as a member and appointed by the Premier (Mr. Davis) to cabinet.

Mr. Swart: Mr. Speaker, first, I would like to commend the Solicitor General for bringing in the Regional and Metropolitan Municipalities Amendment Act, to make some change in the composition of the police commissions, a change which does not go as far as we wish. To have brought it in this soon in his term of office I think deserves some commendation.

Mr. Wildman: You are commending him. The other guy said he could not sleep at night.

Mr. Swart: I, too, want to say, as the minister

might expect, that I fully support the very articulate and complete comments of my colleague the member for Riverdale (Mr. Renwick), and the issue does not require a great deal from me or anybody else in the way of explanation.

I share his feeling that this is a rather important issue. When the member for Yorkview made his comments, he indicated that he did not feel it was a very significant bill. I do. At least, let me put it this way, I think it is a very significant issue. The issue of who shall have authority over the police department is exceedingly important and it is one that has a long history.

To some extent, I have been involved in that history for a number of years. My advent to municipal council some 36 years ago this coming September was due to this very issue. There was a small police force in the municipality in which I lived that was directly under the control of the council. There was no commission. My friend the member for Erie will know about which municipality I speak, the township of Thorold.

The citizens of that municipality considered the police force to be extremely corrupt. Existing in that community was a number of houses of prostitution and bootleggers. Because I had taken an active part in this matter of trying to get some remedy to that situation for some months, perhaps a couple of years, and had expressed some viewpoints, when municipal elections came around, I think they were January 1 at that time, in 1948, prior to the nominations I was approached to see if I would run for council. I accepted the invitation and was elected. The election was fought on that issue: the matter of policing that municipality.

There were five members of council; three reform members were elected. The police there were thrown out. The Ontario Provincial Police was brought in and inside of three months that

situation with regard to the bootleggers and the houses of prostitution was cleaned up.

Subsequently, the Ontario Provincial Police performed the policing in that municipality for a period of time, but we saw the other side of the coin which was that they were so far removed from the public and the council in that municipality that the public felt generally they had no control whatsoever over the police. In no way were they accountable. Subsequently, in that—

Mr. Nixon: The Niagara region?

Mr. Swart: It was not the Niagara region then. It was a few years ago, as I am sure the member is aware.

Ultimately, a police commission was appointed within that municipality and that seemed to bring to—

Mr. Bradley: Were there any Tories on that commission?

Mr. Swart: What do you think?

That seemed to provide a balance to a greater degree between accountability and yet some removal from the direct control of the local council. In the United States, where policing has been under direct control of councils, we know the policing of any of those places has been far less than exemplary.

However, I do not think that we have reached the ultimate in the police authorities. This bill, for the first time in quite a long period of time, gives us a chance to make the necessary changes to get what is close to as ideal a type of authority as we can have.

Mr. Speaker, I see you rather nervously looking at the clock. I am not sure which one gives you the correct time and which one you are going by, but I have some more comments, not lengthy, that I want to make.

On motion by Mr. Swart, the debate was adjourned.

The House adjourned at 10:30 p.m.

CONTENTS**Tuesday, October 18, 1983****Government motion**

Constitution amendment proclamation , resolution 10, Mr. Shymko, Mr. Boudria, Mr. Rae, Mr. Bernier, Mr. Wells, agreed to.	2221
---	------

Second reading

Regional and Metropolitan Municipalities Amendment Act , Bill 86, Mr. G. W. Taylor, Mr. Spensieri, Mr. Renwick, Mr. Epp, Mr. Swart, adjourned.	2235
--	------

Other business

Adjournment	2242
---------------------------	------

SPEAKERS IN THIS ISSUE

Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)
 Boudria, D. (Prescott-Russell L)
 Epp, H. A. (Waterloo North L)
 Haggerty, R. (Erie L)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Jones, T., Deputy Speaker and Chairman (Mississauga North PC)
 Rae, R. K. (York South NDP)
 Renwick, J. A. (Riverdale NDP)
 Sheppard, H. N. (Northumberland PC)
 Shymko, Y. R. (High Park-Swansea PC)
 Spensieri, M. A. (Yorkview L)
 Stokes, J. E. (Lake Nipigon NDP)
 Swart, M. L. (Welland-Thorold NDP)
 Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs
 (Scarborough North PC)
 Wildman, B. (Algoma NDP)
 Williams, J. R. (Oriole PC)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Thursday, October 20, 1983

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 20, 1983

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

AGRICULTURAL PROGRAMS

Hon. Mr. Timbrell: Mr. Speaker, despite some encouraging economic signs, farmers face uncertainty posed by the rise and fall of interest rates, fluctuating commodity prices and even changes in the weather, which, as the members know, can wipe out a season's work overnight.

This government recognizes the economic and social importance of the farming community and has designed a number of programs to help bring greater economic security to the business of farming in Ontario. In addition to our continuing participation in programs such as crop insurance, I would like briefly to advise the members of the status of some of our newer initiatives.

First is our work to introduce a national tripartite stabilization program for the beef, pork and lamb industries. The members are aware that such a program, funded by producers, provinces and the federal government, would establish a kind of safety net to protect farmers against low prices. I stress the safety net concept, because this program in and of itself will not solve all the income problems facing these industries. We are taking a long-term structural approach that has many elements. Each of these addresses a specific objective, but the common link is that of providing a solid foundation for the industry on which to build for the future.

The deputy ministers of the four provinces that have a majority of production in these commodities, namely, Alberta, Saskatchewan, Manitoba and Ontario, met with federal representatives in Ottawa on October 6. As I informed the House last week in answer to an oral question, an agreement among the officials was reached, and I have asked the federal Minister of Agriculture to convene a meeting of ministers to follow up on this issue as soon as possible. I can assure the House of my continued efforts to bring such a plan into existence as soon as possible.

A second major initiative is the Ontario farm adjustment assistance program, or OFAAP, which, as the members know, provides loan guarantees and rebates on interest rates. This program has been extended once already by the government and has helped more than 3,600 farmers across Ontario to stay in business. This year some customary sources of operating credit for farmers, such as supply companies, have curtailed their lending activities. This has contributed to higher demand for short-term bank loans and, consequently, a demand for further government guarantees. At the same time the demand for interest rebates has diminished because, of course, the prime rate has fallen. OFAAP will meet this need and provide a bridge to improved conditions on an economic and commodity price front.

In view of the continuing financial difficulties faced by Ontario farmers, I am announcing today that the government will extend the Ontario farm adjustment assistance program in its present form for a third year. Both new and renewal applications will be accepted until December 31, 1984. The extension will ensure participating farmers of access to adequate operating credit for 1984. It will also provide an avenue of assistance for those not under the program this year but whose position has deteriorated. Finally, it will provide a safety net for farmers should interest rates rise again.

A third initiative with which the members are familiar is the beginning farmer assistance program, BFAP, which is designed to help first-time farmers obtain startup capital to get into the business. This program is much more than a simple assistance program for beginning farmers. It addresses a fundamental problem which has plagued our agricultural community, the need to rejuvenate the industry by encouraging qualified young people to invest their future in a strong growth sector. It is an investment in the future, a program that will help to ensure the wellbeing of a major industry.

I am pleased to announce that a total of eight financial institutions have now been approved as lenders under this program. They include the federal Farm Credit Corp., three of our chartered banks, three of our largest credit unions

and one trust company. This will broaden considerably the reach of the assistance offered by BFAP. Applications are now being processed, and our first qualifying beginning farmers will be starting their careers very soon.

A fourth initiative I have advocated is the agribond concept. Farmers continue to rely on substantial volumes of long-term credit; so it is imperative to find adequate sources of funds to recapitalize the industry and to recognize this investment opportunity.

Last July's federal-provincial agriculture ministers' meeting in Prince Edward Island endorsed the concept I put forward of agribonds as a means of tapping the financial resources of private investors. Under this concept, bonds for agricultural use will be sold at below-market rates in return for tax concessions. I wish to advise the House that discussions are now taking place at provincial government levels with a view to presenting a proposal along these lines to the federal Minister of Finance.

The final initiative we are currently making headway with concerns farmers who take outside jobs to make ends meet. I believe they are being unfairly penalized by a change to a section of the federal Income Tax Act imposed by a decision of the Supreme Court of Canada. The ruling limits the tax deductibility of losses from farm businesses to \$5,000 for some small and part-time farmers.

At the PEI conference the ministers agreed with my suggestion to develop a joint proposal to the federal Ministers of Agriculture and Finance to change a section of the act to conform with the original intent of the act. All provincial ministers have been contacted on specific changes and a joint response is being co-ordinated by my ministry's staff.

I freely admit that these initiatives are not the total answer. Rather, they are intended to deal with some of the root problems facing agriculture. They are part of our long-term objective to remove the barriers preventing a return to prosperity for farm enterprises in this province and across the whole country.

HEALTH DISCIPLINES LEGISLATION

Hon. Mr. Wells: Mr. Speaker, as we all know, in Ontario people have come to know and to expect a level of health care service that is second to none. We can rightly claim that among our hospitals and other institutions, as well as among our health care professionals and their allied workers, we achieve a level of

excellence that has both national and international recognition.

Because the health care system is so large and because, with the introduction of new technologies, it is becoming increasingly complex, the Ministry of Health has the important mandate of introducing those measures that will enhance the level of protection being offered to health care consumers. It is with this objective in mind that I now wish to introduce two amendments to Ontario's health disciplines legislation.

Specifically, this Health Disciplines Amendment Act, which will be introduced later today, will do the following. It will give to the College of Physicians and Surgeons of Ontario the authority to suspend or restrict a physician's licence on an interim basis pending a hearing by the college's discipline committee when the college's executive committee is of the opinion that the continuing practice of that physician might bring harm or injury to a patient; and it will give the college's current peer assessment program the needed regulatory authority.

2:10 p.m.

Currently, the College of Physicians and Surgeons can suspend the licence of a physician suspected of being physically or mentally incapacitated until the matter is determined by a final decision of the college's fitness to practice committee or by the courts; however, this provision does not apply to physicians who are suspected of professional misconduct or incompetence and consequently referred to the discipline committee.

It often takes six to 18 months between the time an allegation is made against a physician and a decision is reached by the discipline committee. If there is a subsequent appeal to the courts by the doctor, the time of delay is extended even further. The college therefore considers interim orders to be essential for the protection of the public in a small number of cases each year.

The peer assessment section of these amendments refers to the regular review of physicians' practices by other physicians to ensure that the quality of patient care is being continually maintained. The college's program began on a voluntary pilot project basis in 1979. Standards of patient care among 100 physicians were reviewed by physician-assessors. Patient records were examined and an interview conducted with each doctor under assessment.

In 1981, 197 physicians were assessed. Of the 15 physicians whose standards were judged

deficient, none was considered to be neglectful of or dangerous to patient care. Physicians whose standards of care are considered to be deficient are, however, interviewed by the peer assessment committee. The process is considered to be an educational one, and the committee does not have the power or the right to revoke the physician's licence.

In the event that the assessors discover what they believe to be incompetence or misconduct, this would be reported to the college registrar, who then has authority to appoint investigators. The results of the investigation could lead to the physician being tried by the discipline committee or being reviewed by the fitness to practice committee.

Currently, the peer assessment program is being run under the authority of a regulation. This regulation is now being challenged in the courts by the Association of Independent Physicians of Ontario, which claims that the regulation accords no statutory authority to the program and that it violates patient confidentiality. But the college reports that the conduct of the assessors was acceptable to 98 per cent of those whose practice was assessed. Approximately two thirds of the physicians visited reported that the assessment was beneficial to their practices.

The college and my ministry also believe the program is especially helpful in monitoring the practices of physicians in solo practice with little or no hospital exposure and who are thus seldom subject to the professional scrutiny of their colleagues.

On the issue of confidentiality, we also believe we have accommodated the concerns of the Association of Independent Physicians of Ontario. The names of the patient records selected for assessment may be withheld from the assessor if the physician believes this is appropriate. Any patient information gained during the assessment must likewise be kept confidential and records may not be removed from the physician's office.

With this brief description, I believe the members of the House will very clearly understand the reasons behind these amendments and the obvious safeguards to patient care in this province they will make available.

ORAL QUESTIONS

HYDRO RATES

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Energy. The Minister of Energy no doubt will be aware of the Ontario Energy Board's latest report with respect to the

rate increase of Ontario Hydro. The board said in that report:

"In the board's opinion, the control of inflation is so crucial to the health of the Ontario-Canadian economy that inflationary feedback considerations cannot be disregarded in the determination of Hydro's net income and rate increase proposal. Indeed, the board considers the fight against inflation to be of such paramount importance that Hydro, in its own interest, as well as Ontario's, ought to champion the taming of inflation."

Would the minister not agree that Ontario Hydro's decision to increase electricity rates by an average of 7.8 per cent is going to contribute substantially to inflation in this province and in this country?

Hon. Mr. Andrewes: Mr. Speaker, the Ontario Energy Board's report comes about as a reference on the part of the Minister of Energy to that board and comes to me as a report and a recommendation. The board of directors of Ontario Hydro has the responsibility, by statute, for establishing that rate.

Ontario Hydro has very responsibly set the rate for 1984 at a 7.8 per cent increase. In doing so, they have acknowledged the recommendations of the Ontario Energy Board. They have taken into consideration all the issues the board has raised with them with the exception of the question of net income.

To preserve the financial integrity of the organization and to reduce its borrowings in 1984, they have disagreed with the board and moved to the required net revenue figure of \$400 million. That exceeds the board's recommendation by some \$50 million.

I remind the Leader of the Opposition that the differential between what the board is recommending and the rate actually established by Ontario Hydro amounts to about 60 cents per householder per month. In terms many people might understand, that represents less than a third of the price of a package of cigarettes.

Mr. Peterson: Is the minister aware that Hydro's rate increase is some 56 per cent above the current rate of inflation? I asked originally whether the minister would agree that this substantial price increase is going to contribute to inflation. Is it or is it not going to contribute to inflation? That is the question.

Hon. Mr. Andrewes: In responding to the second question of the Leader of the Opposition, I remind him that 70 per cent of Hydro's costs are costs related to interest, fuel, machinery

and equipment, which are beyond the direct control of the corporation. Thirty per cent of its costs are related to operation, maintenance and administration. These are costs the utility has been endeavouring to address.

I am confident the increase represents a very difficult attempt by that utility to come to grips with rising costs in general. I am also confident it represents a fair and reasonable rate for electrical consumers in the province.

Mr. Rae: Mr. Speaker, I remind the minister that nursing home workers also have to pay interest costs and fuel costs. That has not stopped the government from ramming them with a fixed increase.

I want to ask the minister a question specifically with respect to the government's so-called price restraint policy, which one could drive a truck through. Will the ministry make a recommendation to the Hydro board with respect to the rate increases? If not, why not?

Hon. Mr. Andrewes: Mr. Speaker, I remind the leader of the third party that the legislative mandate under the Power Corporation Act gives responsibility for setting rates to the Ontario Hydro board.

Members of this House will remember the rates were reviewed in 1982 and those rates were affected by a piece of legislation brought through this House—Bill 179. At this time we are told new restraint guidelines will be introduced into the House, and I am confident those guidelines will apply to Ontario Hydro as well.

Mr. Peterson: Would the minister not agree that this price increase of close to eight per cent makes a mockery and damages the credibility of his past wage and price control program? God knows about the future. Would he not agree with that? That is the first part of my supplementary.

2:20 p.m.

The second part is, would he not agree with me that it makes a mockery of any theory of independent accountability of Ontario Hydro? It is a reference to the Ontario Energy Board, which has no authority whatsoever; it comes back to Hydro and Hydro again unilaterally decides what it wants to do. It shoves it on the consumer, it shoves it on the public, just as it is shoving it to the minister right now.

Hon. Mr. Andrewes: Mr. Speaker, in response to the first part of the Leader of the Opposition's question, I would not agree. It does not damage the government's credibility with respect to the restraint program.

In response to the second part of his question, the report that was issued by the Ontario Energy Board, if he will look at the recommendations it made, with the exception of the net revenue portion, all of the items referred to in that report and the instruction and the references coming out of that report have been considered and acknowledged in this rate.

MACMILLAN-BATHURST CLOSURE

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Labour. The minister is no doubt aware of the announcement made at two o'clock today in my riding of London Centre with respect to the closing—

Interjections.

Mr. Peterson: Could you contain them, Mr. Speaker?

Mr. Speaker: I was just on the verge of standing and asking the two honourable members to please refrain from their conversation. The Leader of the Opposition has the floor with a new question.

Mr. Peterson: As I said, the Minister of Labour is no doubt aware of the announcement made at two o'clock today in London, Ontario, of the closing of the MacMillan-Bathurst corrugating factory there, taking 100 jobs out of London.

I know the minister is aware of this. Could he bring us up to date on his interventions, his negotiations, his talks with both the union and the management there to try to salvage that plant, to try to keep the equipment there and to look at possible alternatives for keeping that plant going?

Hon. Mr. Ramsay: Mr. Speaker, it is correct that I met with the president and vice-president of the company on October 14, at which time they advised that MacMillan Bloedel and Consolidated-Bathurst, through a joint venture in their respective packaging divisions, had formed a new company called MacMillan-Bathurst Inc.

The new company has a total of seven plants in Ontario and 17 overall in Canada. There is one each in Pembroke, Whitby, Rexdale, Etobicoke, Guelph, St. Thomas and London. Several of the locations have duplicate facilities, including those at London and St. Thomas. They also have dual facilities in Winnipeg and one of those is also being closed at the present time.

The London facility is old; it was built in the early 1900s. Most regrettably, there are layoffs

at all of the plants in the province. It is a case of rationalization by the company to remain competitive in the marketplace.

The employees will receive a benefits package including severance pay and pension benefits; relocation assistance will also be provided. The only problem there, as I indicated earlier, is that the other plants this company owns are on layoff at the present time and there would have to be callbacks there before preferential hiring would be in effect.

I share the concerns of the honourable member. In fact, it was I who suggested to the president and vice-president that they share this matter with the Leader of the Opposition in that he is the member for the riding. We certainly did explore with the president and vice-president the possibilities of a change in their attitude, and I must admit we were not very successful in that respect.

Mr. Peterson: The minister will be aware of the history of at least a part of the consolidated company with respect to plant closings and what is going on, and the long-term trend is obviously very worrisome. But to speak specifically to this plant, he will be aware it is an older plant, it had several previous owners and a number of the workers are older, with limited employment options, be it throughout the MacMillan-Bathurst system or anywhere else, given the degree of skills and the training.

Will he use his good offices and the powers he has under the act to move in with special training assistance so we can move immediately to protect the shattered remnants of some of those people's lives?

Hon. Mr. Ramsay: We will certainly do that. We do have a program in conjunction with the federal government. This problem is a very serious one, wherever and whenever it happens. Most regrettably, because I have to deal directly with them, it seems to me it is happening almost on a daily basis but it is really not quite that severe. Nevertheless, whether it is one plant or 20 plants, whether it is one employee or 20 employees, it is traumatic for the employees, their families and the community in which the plant operates.

There are no easy answers to these problems at this time. As the Leader of the Opposition has indicated, it is particularly traumatic for those who are too young for retirement or early pensioning, and they are too old for practical retraining or for finding other jobs in the period of recession we are going through. I worry more about those individuals between the ages of 45

to 55 than about any others, because those are the people who have the most difficult time.

I would like to make one observation and I would like to do it with a qualification. There seems to be some brightness at the end of the tunnel. I am reluctant to say it is a definite trend, but it would appear to be. With that qualification, I can advise that our latest figures for the period January through August show a substantial decrease in the number of permanent and indefinite layoffs between this year and last year. In terms of the number of workers affected, it represented approximately a 52 per cent decrease.

Interjection.

Hon. Mr. Ramsay: That is absolutely correct. I am hopeful that is a trend, but I must caution everybody to wait for a few more months before we come to any conclusions.

Mr. Mackenzie: Mr. Speaker, I would like to ask the Minister of Labour if this president he met with is the same president who told us he would not appreciate any company telling him who to hire when we tried to get it to consider recommendations for some of the employees, and therefore he did not want to tell anybody else whom he should hire?

If it is the same company president who told us the company would not consider selling to the employees just as Texaco would not consider selling a choice corner location to Imperial Oil, because they were not going to have that kind of competition, and if it is the same company that was found guilty before the Ontario Labour Relations Board of bargaining in bad faith, does the minister not think it is time we considered the re-establishment of a plant shutdowns committee and public justification so that there can be some consideration for the workers involved, who are the only ones left holding the stick in every case like this?

Hon. Mr. Ramsay: Mr. Speaker, it was not the same president, but to be honest with the member there is certainly a connection.

I thought I made these comments in my first answer, but what has happened is that MacMillan Bloedel and Consolidated-Bathurst, through a joint venture, have formed a new company called MacMillan-Bathurst Inc. The case to which the honourable member refers was Consolidated-Bathurst and its president. The person with whom I met was an executive with Consolidated-Bathurst. His name escapes me at

the moment, but he was raised and educated in Hamilton.

Ms. Coppins: Mr. Haiplik?

Hon. Mr. Ramsay: That is correct. He is now president of this company.

As far as the last part of the member's question is concerned, as to whether I have any intention of asking that the plant severance committee or plant closure committee be reconstituted, the answer is I do not at this time.

2:30 p.m.

Mr. Peterson: The statistics the minister quotes are no solace to the workers here, just as they were no solace to the workers who have never been called back in Hamilton after the same company was involved in this whole thing. All his good intentions are not going to get the baby new shoes.

Would the minister get together with the Minister of Industry and Trade (Mr. F. S. Miller) and his officials immediately upon that minister's return from the Far East and try to look for alternatives for the plant? Would he try to do that before the plant is stripped of its machinery and rendered useless, as happened in the Hamilton case? Would he explore every creative alternative with his cabinet colleagues to try to keep that machinery going and not let it be taken away until he has exhausted every possibility?

Hon. Mr. Ramsay: I have not had the opportunity to speak with the Minister of Industry and Trade because he has not been available. However, my officials have been in touch with officials of that ministry and we do have the same objective the honourable member has pointed out to us.

FOREST RESOURCES INFORMATION

Mr. Rae: Mr. Speaker, my question is to the Minister of Natural Resources. The minister will be aware of correspondence between my colleague the member for Nickel Belt (Mr. Laughren) and Mr. W. K. Fullerton, director of the forest resources branch of the ministry. He will also be aware of conversations which have taken place among the member for Nickel Belt, members of our research staff and workers in the ministry with respect to some very basic information we were trying to get from the ministry.

The minister should be aware that we asked for information with respect to the nine largest licensees. We also asked for information with respect to areas cut over and areas regenerated

by these nine largest companies. We asked for the latest available fifth-year stocking levels for each licensed area held by the nine companies, and we asked for the latest available survival rates for each licensed area held by each of the nine companies.

We were told, in correspondence, that this information was going to be collected and made available. A member of my staff was subsequently told on September 30, 1983, by the Deputy Minister of Natural Resources that this information could not be released on lands licensed to forest companies due to "confidentiality considerations."

How does the minister expect the Legislature to be able to do its job if this information is being withheld from members on grounds of so-called confidentiality?

Hon. Mr. Pope: Mr. Speaker, the honourable members know that from time to time they have received information from the forest resources branch of my ministry to assist them in their concerns about our forest resources, the state of reforestation and regeneration activity.

I am aware of the request from the leader of the third party and of the information members of his task force are requesting of us. We have been working on getting that information in a form that is going to be helpful to him and the members of his task force. Some of the information cannot be disclosed on a company-by-company basis, but we are trying to obtain it on the basis of our districts and on the basis of forest management agreement holders. We will provide that to the member.

I believe that information will be provided to the leader of the third party within a few days. When it is available, I think it will show, contrary to the supposed factual statements members of the task force have been making in northeastern and northwestern Ontario, that the survival rate is far in excess of what has been predicted. The member for Nickel Belt predicted a survival rate of 25 to 30 per cent in northeastern Ontario. We presumed he had a factual basis for saying that, but it is obvious from later statements by the leader of third party in Thunder Bay that he did not.

Mr. Rae: The information our task force presented to the public was provided to us by the Ministry of Natural Resources. The only information we have been able to go on has been from that ministry and from the forestry companies themselves.

Mr. Speaker: Question, please.

Mr. Rae: Mr. William Foster, the Deputy Minister of Natural Resources, told the Canadian Institute of Forestry on October 5, 1983, "Our ministry is taking steps to become more communicative to explain the whys of forest management to our various audiences more effectively." Given this statement, why can Natural Resources, told the Canadian Institute of Forestry on October 5, 1983, "Our ministry is taking steps to become more communicative to explain the whys of forest management to our various audiences more effectively." Given this statement, why can we not have information on a company-by-company basis? The licences are granted on a company-by-company basis. Why can we not have the information on this basis so that we could be in a position to assess the progress of the forest management agreements themselves?

Hon. Mr. Pope: The member knows that the detail of companies' development activities and reforestation activities relates to their ability and has an effect on their ability to obtain contracts for markets. Therefore, he understands some of the constraints on the—

Mr. Rae: No, I don't.

Hon. Mr. Pope: I am sorry the member does not understand. I would have thought he would have talked to some of the marketing people for some of these forest products companies to see the competitive kind of position they are in in the North American and world market scene. Then he would have understood some of the constraints.

I have just told him that we are going to try to give him as much information as we can. I have seen some of the numbers and we are going to give them to him as quickly as we can, to add to his knowledge of the regeneration efforts of the government of Ontario.

I told the member during last spring's session that we have a capacity now in our public and private tree nurseries for 130 million trees. He has accepted that as fact and he has now gone beyond that argument, which he threw at us for five years, to an argument that every acre cut should be regenerated. I understand that; that is part of the charter.

Mr. Martel: The Premier (Mr. Davis) said, "Two trees for one."

Hon. Mr. Pope: That is right. But the member also has predicted to the people of northeastern Ontario all sorts of what he calls factual infor-

mation, which is, in reality, his own self-serving interpretation of what is going on.

Interjections.

Mr. Speaker: Order, please. Thank you. That was a very complete answer.

Mr. J. A. Reed: Mr. Speaker, if the minister's current policy of keeping certain aspects of these agreements confidential is working against him—obviously he is in a dispute over the survival rate of reforestation with members of the third party—would it not be in his interests and in the interests of reforestation in general in Ontario, considering that this is crown land we are talking about, that this information be continually made public and that those companies which signed the forest management agreements be made aware that this will be part and parcel of the condition of signing those forest management agreements?

Hon. Mr. Pope: Mr. Speaker, as the honourable member is aware, we have open houses which show the 20-year and five-year plans. The annual cutting plans of the companies are available to the public. He can go to open houses and look at the detail of the forest management agreement structure. He can look at the specifics of any arrangement between the Ministry of Natural Resources—

Mr. Foulds: Yes, the only thing you cannot look at is the results.

Mr. Speaker: Order.

Hon. Mr. Pope: He can go ahead. It would be a refreshing change if he would take the time to do that. He would find it very informative. He should go and look at the 20-year and five-year plans and the annual cutting plans and look at the input from all of the other groups. We get more than 20 people in Timmins to look at the Abitibi-Price forest management agreement. We get more than 20 people in Port Arthur.

Mr. Foulds: I have gone many times; the only thing you cannot look at is the results.

Mr. Speaker: Order. Thank you.

Mr. Rae: With great respect to the minister, the information with respect to insufficient regeneration, the "not satisfactorily regenerated" figures, the information with respect to the minimum rate—

Mr. Speaker: Question, please.

Mr. Rae: —all that information is information that the ministry made public in 1981-82. We have asked for the information for 1982-83. We have asked for information on an individual company basis.

How are we as a Legislature going to be in a position to assess the performance of individual companies that have signed individual licences in terms of the forest management agreements, how are we going to be able to assess the validity of those FMAs, if the minister does not give us the information with respect to the individual companies? How can we possibly know whether they have been successful or not if he is not prepared to come clean with the information?

Hon. Mr. Pope: But the member is already going around saying they are not successful, and in fact they are successful; that is the reality of it.

Mr. Rae: That is not true. Your spies have misinformed you.

Hon. Mr. Pope: Oh, my spies now. We are not supposed to listen to what the member has to say. No one else was there; he is lucky we were there.

Mr. Speaker, we are going to provide the member with the information in detail. I tried to explain to him, and if he looks at page 2 of his communiqué of September 22, 1983, he will see exactly what I mean.

For his own political purposes he interpreted NSR lands to mean that they were becoming silvicultural deserts, written off for future use as productive forest lands. That is nonsense and the member knows it. In 1977, with great fanfare, he took the media from Thunder Bay to north of Thunder Bay to see what he called a silvicultural desert, a waste land. He had pictures taken. If he goes back there today, he will see conifer and hardwood trees growing there because natural regeneration brought that area back into production and will in the future. He does not want to accept that.

2:40 p.m.

Mr. Rae: Mr. Speaker, all I can say is what has happened and what has been said have been misreported to the minister by his loyal employees, who have tagged our task force from one end of the province to the other. They have even given him an incorrect assessment of exactly what is there.

Mr. Speaker: A new question, please.

HAWKESBURY HOSPITAL MANAGEMENT

Mr. Rae: I was going to address a question to the acting Minister of Health. I thought he was here. He was here earlier on in question period and I was advised he was going to be here throughout.

Mr. Speaker: Perhaps you could direct your question to somebody else.

Mr. Rae: It is a hard choice to make. I am glad the acting Minister of Health has returned. I would not want to have to choose somebody else. I would like to ask him a question with respect to the operation of the Hawkesbury District General Hospital by the American multinational, AMI.

Press reports have described a dramatic turnaround from a deficit to a surplus situation at the Hawkesbury hospital following the takeover by AMI under the approval of his predecessor, now the Treasurer (Mr. Grossman). I wonder if the minister can confirm the following facts. Last year's deficit was eliminated by a Ministry of Health grant in terms of the previous year—it received about \$345,000 from the province; and the so-called surplus has been generated in the following ways: interest has been saved because previously the hospital apparently paid out about \$78,000 in interest on operating loans, so they have improved their cash flow situation in a rather rudimentary fashion; they have reduced salaries by \$140,000; and they have increased revenues by \$200,000 by recruiting more patients from Quebec.

Can the minister confirm those facts and can he explain why the people of this province are paying \$300,000 for that kind of practice?

Hon. Mr. Wells: Mr. Speaker, my friend was opposed to this arrangement when it was suggested. It now seems that it is an innovative way to handle the management of the hospital and it has now been shown that AMI is effectively operating the hospital. It has turned a deficit into a surplus. Patient care has not suffered. Indeed, such a great newspaper as the Toronto Star in a headline editorial gives great credit to this innovative procedure and suggests it be looked at.

I will read the editorial for the member if he would like.

Mr. Speaker: That is not necessary. The standing orders do not provide for that.

Hon. Mr. Wells: I realize that, Mr. Speaker, but it certainly says, to paraphrase it, that the lesson from the AMI experience at Hawkesbury is surely that good management can lead to higher productivity and better health care.

Mr. Rae: The minister has referred to the Toronto Star editorial and he talks about such novel practices.

Mr. Speaker: Question, please.

Mr. Rae: One of the practices that has been instituted is that all department heads are now involved in preparing budgets and monthly financial reports. The reporting has become faster and more efficient, a basic thing that should be happening in every hospital in this province.

I repeat the question to the minister. Why are the people of this province paying a \$300,000-management fee, plus half of any surplus over \$750,000, to a foreign multinational company for such basic first-year business administration kinds of practices?

Hon. Mr. Wells: In this particular case they are paying the fee to get the efficiency and quality of health care that is now being provided in Hawkesbury.

Ms. Copps: Mr. Speaker, is that why the Ontario government, through the Ministry of Health, is considering contract management in its psychiatric hospitals for nonmedical related areas.

Hon. Mr. Wells: Mr. Speaker, I cannot give the member any specific examples of whether we are or are not in some of the psychiatric hospitals, but we are doing that in a number of government institutions as well as in psychiatric hospitals. The contracting to the private sector of things like cleaning services, food service operations and so forth is something this government has been doing. Contract management, the various modes of doing this, are something this government has been doing, and doing successfully, for a long time in order to save costs.

Mr. Rae: The hard fact is this government has simply bailed out a large multinational corporation and, in turn—

Mr. Speaker: Question, please.

Mr. Rae: —has said what an economic miracle it has wrought. What an absolute con job they have done on the government.

I would like to ask the minister if he is aware that AMI has now been found guilty in the anti-trust case that was launched in the United States by the Federal Trade Commission? Is the minister aware of that fact. How does he feel about this great institution which the government has imported from the United States? If there is one thing we do not need to import from the United States, it is their lousy health care system and a company that has been found guilty of anti-trust behaviour in the United States.

Hon. Mr. Wells: I think if my friend reads that, they are guilty probably under the laws of the United States because they were managing too many hospitals and that was not felt to be effective there.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Wells: Let me tell the member that we are not importing any bad methods or bad systems from the United States. We are not shutting our ears and our eyes to innovative ways of handling and helping the health care system to work in this province. The situation at Hawkesbury is an experiment. It has been working fairly well so far.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Wells: Unlike what my friend has done, who has suddenly had to look around to try to find ways to discredit AMI—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Wells: —and is suggesting they cannot do the job in Hawkesbury, I want to be sure the success story that is so far evolving in Hawkesbury is, indeed, a success story. We are having some independent people take a look at it, as well as continuing the regular monitoring that goes on there. We will guarantee that patient care is as good as or better than it has ever been and we will guarantee that hospital operates in the effective way all Ontario hospitals operate.

INFLATION RESTRAINT PRACTICES

Mr. Conway: Mr. Speaker, my question is to the first minister. It concerns the restraint policy of his government and, more especially, the role of the first minister in the execution of that restraint policy.

What does the Premier think it signals to the people of Ontario vis-à-vis restraint when three months ago he had the clear choice of standing with either a minister of his government, whose stated aim was the control of expenditures in his department, namely, the former Minister of Government Services, the member for Lanark (Mr. Wiseman), or standing with his deputy minister, whose apparent aim was to spend money freely in ways that seem to have violated the spirit, if not the letter, of the tendering practices of the Ontario government?

2:50 p.m.

What does it say to the people of Ontario with respect to the Premier's own practice of restraint when they see that, given the choice, he stood with Allan Gordon and his \$900-a-day consultant and denied the member for Lanark in his efforts to restrain public expenditures in his department of this government?

Hon. Mr. Davis: Mr. Speaker, it will come as a great shock to the honourable member, knowing the way he approaches some of these issues, to try to understand that the Premier of this province made no such choice.

Mr. Conway: What does it say to the people of Ontario when they read in the public press of a minister of the crown who, upset about what was going on in his department and having asked for an appointment with his Premier because, to use the former minister's words, "I hit the roof when I heard that Allan Gordon had proceeded with his \$900-a-day management consultant;" concerned about the situation and having hit the roof, that minister went to see the Premier only to find that the Premier saw to it that the minister hit the deck?

What has he said to the people of eastern Ontario, people like the good members of the Lanark county council and their colleagues next door in Leeds and Grenville, who have expressed very deep concern and protest about the dismissal of the member for Lanark as a bona fide farm representative within the executive council of this province?

What has he said to the people of rural eastern Ontario who properly complain about their under-representation? What is he going to do to restore that? What does he intend to do to redress the very considerable slap in the face he has delivered in the execution of his choice in favour of Allan Gordon and the dismissal of the member for Lanark? What is he going to do to restore the credibility of his government with the good people of eastern Ontario?

Hon. Mr. Davis: Looking back over several years, I rather think the honourable member, as a representative of the Liberal Party, the Peterson party or the community party, should understand the reality of the word "credibility." He used the term "the Progressive Conservative Party in eastern Ontario." If he takes out a map and looks at the elections going past many years, he will find that credibility has been well demonstrated and, always being an optimist, I expect it will continue.

I think it is very unfortunate that an honourable member would raise in this House gossip he has read in the paper as it relates to the

determination of appointments or people who leave cabinet. I have communicated to the same people the member refers to in Lanark county, because these matters are always of great concern to me, that one of the most difficult responsibilities a Premier has is the selection of people to move into cabinet and the need to have people leave cabinet.

The member has on more than one occasion called into question the competence of ministers of the crown. I am just delighted, and I wish the member for Lanark were here to listen to his enthusiastic support for the way he discharged his duties because I share that point of view. As I sit here day after day watching him attempt to play long-term leader in anticipation of his party's next convention, I say to him I really question that the day will ever come when he will have to make decisions of that nature.

Mr. Conway: Mr. Speaker, on a point of privilege: The Premier has accused me of introducing, to use his phrase, gossip into this chamber. I do not believe I have gossiped in this chamber. If the Premier can indicate how I have gossiped in this chamber, I would be very pleased to—

Mr. Speaker: Order.

Mr. Conway: The people of Lanark, Renfrew, Leeds and Grenville are not going to take that—

Mr. Speaker: Order. The member for Renfrew North will please resume his seat.

Interjections.

Mr. Speaker: Order.

Mr. Samis: Mr. Speaker, could the Premier explain to the people of rural eastern Ontario why the long tradition of cabinet representation for rural Ontario was not followed after the dismissal of the member for Lanark from the cabinet by the Premier?

Hon. Mr. Davis: Mr. Speaker, if the member would look back historically, he would find periods of time, within terms of numbers and geographic representation, when there have been different percentages from various regions of the province. That has been the case; it will be the case again. In terms of rural representation in cabinet and in our caucus, I know that he sits there in total and complete envy because there is not a single soul in the New Democratic Party caucus who can represent rural Ontario in this province.

EXTRA BILLING

Mr. Cooke: Mr. Speaker, I have a question to

the Premier which concerns extra billing and the opting out of doctors in Ontario.

How can the Premier guarantee universal and equal accessibility to health care to the people of this province when—and I will use two examples—in the county of Middlesex, an area which serves all of southwestern Ontario, especially the university hospital, 100 per cent of the anaesthesiologists are opted out, and in Toronto 91 per cent of the anaesthesiologists are opted out of the Ontario health insurance plan? How can he guarantee universal and equal accessibility to health care services to the people in those areas with such statistics as those?

Hon. Mr. Davis: Mr. Speaker, we have been through this discussion before. The former Minister of Health (Mr. Grossman), the present Minister of Health (Mr. Norton) and the former Minister of Health once removed (Mr. Timbrell) have already answered that question. I would just say in general terms that the policy of the government is as it is. The member objects to it; he opposes it and I understand that. He will just have to accept the fact that it is our policy.

Mr. Cooke: I have heard poor answers from the Premier before, but that has to be the weakest. He leads the government that has dealt with this policy and that refuses to give universal accessibility to seniors, to low-income people and to those on fixed incomes. In addition to the opted-out anaesthesiologists in those two areas, eight of nine gynaecologists in Sudbury, more than 50 per cent of the orthopaedic surgeons in Windsor and 58 per cent of the ophthalmologists in the city of Toronto are opted out.

How can the Premier guarantee equal accessibility to low-income people in Ontario with those kinds of statistics? When is this government going to act to reinstitute universal accessibility in our health care system in this province?

Hon. Mr. Davis: I would suggest, with great respect, that universal accessibility is there in spite of the figures he uses.

Interjection.

Hon. Mr. Davis: Mr. Speaker, the member for Sudbury East (Mr. Martel) has a supplementary. I will sit down while he asks it.

Ms. Copps: Mr. Speaker, while the Premier is looking at the issue, I wonder if he might comment—and I realize that the Minister of Health is not in a position to respond personally—on this matter. About eight weeks ago we tabled a case with the ministry which dealt with an overbilling of some \$800 for a scoliosis victim. Would the the first minister let us know what his

government's response has been to this individual case where it was obvious that an adjustment for a scoliosis victim would not be made until the overbilled amount was received by the physician in question?

Hon. Mr. Davis: Mr. Speaker, I am sure the honourable member has already checked this. Perhaps she would give me the answer to her inquiry on whether this was submitted to the central mediation committee of the Ontario Medical Association. If that has been done, she can let me know; if not, then we can see that it is done. I had assumed she had already checked that and she could quietly let me know the answer to that mediation.

3 p.m.

PROPANE CONVERSION

Mr. Boudria: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations concerning the conversion of gasoline-fuelled vehicles to propane. In the opinion of Mr. Mike Austin, the chief instructor of the Propane Conversion School—I am sure the minister knows of him; he is the leading expert in the field—half of the 20,000 vehicles that are converted right now have shoddy installation and are accidents waiting to happen. The minister acknowledged some of this recently in a letter he has sent.

In April and July, Mr. Austin chronicled for the fuel safety branch the many conversion flaws he has come across. He has also recommended that a comprehensive inspection program should be instituted throughout the province. I understand that the Insurers' Advisory Organization of Canada has also recommended that. Will the minister now put such an inspection program in place? If not, why not?

Hon. Mr. Elgie: Mr. Speaker, I think the honourable member has raised an important issue with respect to the safety of propane motor vehicles. I am pleased that he did raise it, because it is an issue that has concerned many in this government.

As the member knows, if he has been following the progress of legislation and regulations that have been passed over the past year, the regulations respecting installations and the conversion of cars to propane have been upgraded and changed so that this province, I may say—and again, I know the member does not like to hear it—in all humility, is in the forefront in North America.

But that is never enough. We are not satisfied

with being the leader in that area. We have had meetings with many people who have concerns that they share with us with respect to propane. We had meetings with Mr. Austin, who, as the member knows, has a particular interest in this area, since he has a school and does some of the conversions himself.

I think it is fair to say that we have been pursuing a variety of approaches now to ensure that those people who have converted their vehicles to propane can be assured that they will be safe. I expect to be making an announcement within the next week with respect to that, and I have no further comments at this time.

Mr. Boudria: Just so the minister can understand the gravity of this situation, some installations are being done right now using grocery types of nylon straps to hold some pipes on cars, and I have photographs of those on current installations. I also have here a hose, which is a fuel line, that is completely burned from rubbing against an exhaust pipe and could have caused an explosion.

Mr. Speaker: Question, please.

Mr. Boudria: According to the same people, we are told there is one accident a week involving propane in this province. Will the minister tell us whether he will have independent people reviewing the installations before the vehicles are even allowed to be fuelled in this province?

Hon. Mr. Elgie: First of all, I think the member does a disservice to the public and to the propane conversion program, which I think is of great benefit to the public. The member knows full well that propane has been proven in Europe to be one of the safest fuels there is. We continue to strive to have a system in this province that can offer the same kind of perfection. For the member to single out individual instances without the whole story being told does him and the public a disservice, and I think it makes the member a sham.

ARENA-TRADE CENTRE

Mr. Mackenzie: Mr. Speaker, I have a question for the Premier that is of some concern to Hamilton. I wonder whether the Premier has been able to arrange a meeting with the mayor of Hamilton or with other officials there concerning the funding of the arena-trade centre in the city of Hamilton.

Hon. Mr. Davis: Mr. Speaker, I must confess that noise was emanating from the other side of the House, so I just got something about the

arena. Would the member for Hamilton East mind repeating the question?

Mr. Speaker: Just before the member does, I did not hear to whom he placed the question, and I would ask all honourable members to please limit their private conversations or to have them elsewhere.

Mr. Mackenzie: I said I was placing to the Premier a question of some importance to Hamilton. I was wondering whether the Premier had made any arrangements to meet with Mayor Morrow or with others in Hamilton concerning the provincial share of the funding of the arena-trade centre.

Hon. Mr. Davis: It could be my fault, but I do not recall the mayor asking for a meeting. I know the government has given a commitment with respect to the arena. If the honourable member is suggesting that he wishes to meet and discuss the various percentages or proportions for the arena, I would be delighted to meet with the mayor of the city of Hamilton. It may be that he made a request in my absence.

I can assure the member that I would be delighted to meet with the mayor of Hamilton at any time. I know the member supports him in his municipal endeavours, although I do not think the member ever supported him in his, shall we say, more partisan endeavours.

Mr. Mackenzie: The mayor himself has said the suggestion of a meeting with the Premier is well taken and it has to do, as I am sure the Premier is aware, with the fact that the federal contribution is now worth \$5.5 million and there was a commitment that the province would match this.

Mr. Speaker: Question, please.

Mr. Mackenzie: The province's share is \$4 million, and I think a legitimate case can be made for the additional \$1.5 million for this major complex in the city of Hamilton. I am wondering whether the Premier would initiate a meeting with the mayor.

Hon. Mr. Davis: I am delighted to ascertain from the member's question that the mayor has not asked for a meeting from me and I have refused. I sense from what the member is saying that he suggests I should initiate a meeting to see whether I can find a way to give the city of Hamilton another \$1.5 million. In fairness, I would think the initiation for that sort of endeavour should properly come from the city of Hamilton.

The history of this is fairly clear. We made our commitment at a certain date. My recollec-

tion is that the federal government made its commitment and advanced the moneys, and the differential now relates to interest that has been earned on those moneys. So we have not altered our position in terms of the amount we said we would allocate to this important resource in the city of Hamilton.

I am always delighted to chat with the mayor if he wishes to seek an appointment with me.

Mr. Cunningham: Mr. Speaker, over the course of the summer I read something in the *Hamilton Spectator* about a dome proposal for the city of Toronto; that has absolutely nothing to do with the convention centre we are contemplating in Hamilton, which would cost approximately one per cent of what is being contemplated for the dome.

Would the Premier take it upon himself to involve the member for Wentworth (Mr. Dean), the Minister without Portfolio, in arranging a meeting with our fine mayor, Mr. Morrow, regarding the original commitment, which was I understand to match the federal funds, to ensure that we get the extra \$1.5 million, which I might say we desperately need?

Hon. Mr. Davis: Mr. Speaker, very fortunately, I do have the advice and guidance of the Minister without Portfolio, who brings forward, in a very persuasive and realistic way, the concerns of the people of that part of our province. I point out to the honourable member that whatever he may or may not have read about a dome—and I am delighted to know he was reading over the summer—that is a totally unrelated matter, a totally unrelated issue.

I have always been quite pleased to talk to the mayor of Hamilton—the present mayor, the former mayor and the former mayor before the former mayor—about any issues affecting the citizens of that community, and I would be delighted to speak to him again.

OTTAWA CONVENTION CENTRE

Mr. Roy: Mr. Speaker, while we are talking about convention centres, I thought I should ask a question on behalf of what we in Ottawa call the B and B boys, the member for Ottawa South (Mr. Bennett) and the member for Ottawa West (Mr. Baetz). I understand they have been lobbying on behalf of the convention centre in Ottawa so that it will get the same benefit as is currently being given to the Toronto convention centre; that is, that the province is prepared to pick up its deficit.

Can the Premier advise whether he is going to give an affirmative answer to those two cabinet

ministers, two of the three he has left from eastern Ontario? Also, can he give us an undertaking that if he does make that commitment, it will not require a change in name for the convention centre to something like the B and B Pavilion or the William G. Davis Hall?

Hon. Mr. Davis: Mr. Speaker, I recognize how upset the honourable member would be if there were a structure of that significance named after the Premier of Ontario in that part of the world.

Mr. Roy: Especially in my riding.

Mr. Speaker: Order.

Hon. Mr. Davis: I also know that when I attend the official opening of that convention centre, as was the case when I was there for the sod-turning of the courthouse, the member for Ottawa East will be there, front and centre, endeavouring to take as much political credit as he can for that initiative.

I also say to the member that I have been contacted on that issue by the two Ottawa ministers, plus the members from that community, on a seven-day-a-week basis. I am delighted that on the one day out of seven that the member is here, he had the initiative to raise this with me. They do it seven days a week; he does it once a week.

Mr. Roy: Is it not something that I can do in one day what it takes them seven to do?

Mr. Speaker: Is that your question?

Mr. Roy: By the way, the way the Premier operated that backhoe at the courthouse, he damned near ran over about 10 Tories.

Hon. Mr. Davis: I noticed you were in the front row, anyway.

Mr. Speaker: Now for the question, please.

3:10 p.m.

Mr. Roy: I would like to ask the Premier whether he can give us a solemn undertaking here that he will give the same benefits to the Tories from Ottawa-Carleton as he will to the Tories from Toronto, that there will be no discrimination among Tories and that the people of Ottawa-Carleton can get the same provincial benefit; that is, that the province will pick up the deficit for that convention centre as it has promised to do in Toronto.

Hon. Mr. Davis: With great respect, I think the member is not really familiar with what we have promised to do in the city of Toronto. No such determination has been made. If he were here seven days a week, he would understand what is happening in other parts of the world. I

know his perspective is very narrow; it relates to the courts and his practice. I understand that; I am very sympathetic to his personal concerns.

Mr. Roy: Let's not talk about law—

Mr. Speaker: Order.

Hon. Mr. Davis: I only say to the member that we have always endeavoured to treat the various parts of this province with equity. I am sure that will be the case with respect to the Ottawa convention centre.

Just as a final note: I may have run over close to 10 Tories in the front row, but the member was in the lead.

Mr. Roy: I was not.

Mr. R. F. Johnston: It sounds to me like a good tradeoff; the Premier should have gone ahead.

Mr. Speaker: Now for your question.

VIDEO DISPLAY TERMINALS

Mr. R. F. Johnston: Mr. Speaker, my question is for the Minister of Labour. It concerns video display terminals, which are in the news again.

Interjections.

Mr. Speaker: Order. I am sorry. I did not hear to whom you are placing your question.

Mr. R. F. Johnston: This question is for the Minister of Labour and it concerns video display terminals.

The Advisory Council on Occupational Health and Occupational Safety finished its report on February 8. On February 25, the minister received it and made a number of recommendations about video display terminals and the reproductive concerns. I understand since that time he has asked them to clarify a couple of their positions. Can he fill the House in as to what has taken place since that time and when we can expect a decision, as my understanding is that they have not changed their original memorandum to the minister?

Hon. Mr. Ramsay: Mr. Speaker, last evening I put in the mail to the member for Algoma (Mr. Wildman), the NDP occupational health and safety critic, and to the member for Essex South (Mr. Mancini), the Labour critic for the official opposition, a copy of—I am sorry; I prepared letters to the member for Algoma and the member for Essex South and sent a letter to Dr. Fraser Mustard, the chairman of the Advisory Council on Occupational Health and Occu-

pational Safety, asking for his permission to release these two letters to the respective critics.

Everything I have at the present time the honourable member would have in the official report of the Advisory Council on Occupational Health and Occupational Safety, except for one final letter that I wrote to Dr. Mustard on October 11 which confirmed his letter of September 9, and I would read a portion of that:

"I was reassured to note that council has reaffirmed its earlier position that there is no evidence of a health hazard from ionizing radiation from properly designed, manufactured and maintained machines. Furthermore, council has reasserted that the same statement can be made in relation to non-ionizing radiation in infrared, ultraviolet and microwave frequency ranges of the electromagnetic spectrum.

"In the September 9 letter, council also advises, based on a review of the scientific literature and several radiation surveys, some of which were not published when the advisory council memorandum was completed, that there appears to be no evidence of a reproductive hazard to VDU operators from low-frequency, non-ionizing radiation emissions from these units.

"The advisory council's overall conclusion is that there is no scientific evidence of a positive hazard from VDU emissions to the pregnant operator, the foetus or both."

All of that information should be in the hands of the respective critics within the next few days.

ABSENCE OF MINISTER

Mr. Nixon: Mr. Speaker, on a point of order: On Tuesday I brought to your attention that the Minister of Industry and Trade (Mr. F. S. Miller) has been absent from the House ever since we resumed in the fall. There are many matters that concern members of the House, but most particularly for the member for Brantford (Mr. Gillies) and myself is the disposition of the important White Farm Equipment bankruptcy involving the employment, or lack of employment, of 1,000 people.

I wonder whether the Premier is prepared to designate himself as knowledgeable in this, or some other person, so we can get the kind of public information that so many of the unemployed and others are interested in, or perhaps he will make a statement.

Hon. Mr. Davis: Mr. Speaker, on that point of order: I think the honourable member very properly is registering a concern on this issue. I assumed, perhaps erroneously, after he raised this on Tuesday, that he might direct a question to me. I actually made an effort to have some information available for the member if he had raised it. Perhaps I can meet him in the next two or three minutes under the gallery and tell him what I know. I will be delighted to share that with him.

Mr. Nixon: Mr. Speaker, on a point of order: I appreciate the offer, but it should be a public statement of what is going on.

Mr. Speaker: That is hardly a point of order, but obviously the member has resolved his problem.

RURAL REPRESENTATION

Mr. Wildman: Mr. Speaker, on a point of privilege: I sincerely believe that the comments made in jest, I believe, by the Premier (Mr. Davis) with regard to the representation of rural areas in this province are an abuse of my privilege and an insult to the farmers and the electors of Algoma. It is an example of this government's real lack of knowledge of and concern for agriculture in northern Ontario. I would hope other ministers in that government would make the Premier aware that there are farmers in the north. I want to emphasize that I am—

Mr. Speaker: Order. Will the honourable member please resume his seat? I must point out that it was not a point of privilege, with all respect.

Interjections.

Mr. Speaker: Order, please.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. J. A. Reed: Mr. Speaker, I have two petitions.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the

act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by teachers from Edward Johnson School and Rockwood Centennial School.

Mr. T. P. Reid: Mr. Speaker, I have a similar petition.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by 38 teachers from Robert Moore Public School and Alexander Mackenzie School in Fort Frances and Donald Young School in Emo.

Mr. Philip: Mr. Speaker, I have a petition which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by 315 teachers in Mississauga, Rexdale and Burlington.

Mr. Breithaupt: Mr. Speaker, I have a similar petition, signed by several teachers of the

Wellington County Teachers' Association who reside in the city of Kitchener.

Mr. Conway: Mr. Speaker, I have a petition in a similar vein, signed by several teachers from the educational centres at Canadian Forces Base Petawawa.

3:20 p.m.

Mr. Lupusella: Mr. Speaker, I wish to table a petition which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The above petition is signed by 210 teachers from Brockton High School, Bloor Collegiate Institute, Oakwood Collegiate Institute and Heydon Park Secondary School.

I support this petition.

Mr. Newman: Mr. Speaker, I too wish to table a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. This petition is signed by teachers from three different schools from the county but the teachers are residents of the city of Windsor.

Mr. Riddell: Listen to this petition, Mr. Speaker.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith

under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition was signed by nine teachers from the Colborne Central Public School. I want to draw to the attention of the members that the school is located in the great riding of Huron-Bruce but a majority of the teachers reside in the great riding of Huron-Middlesex.

Mr. Samis: Mr. Speaker, I wish to table a petition to the same effect from a grand total of 15 teachers from Eamers Corners Public School in the riding of Cornwall and from the staff of Martintown Public School in the riding of Stormont, Dundas and Glengarry.

Mr. Eakins: Mr. Speaker, it is my pleasure to present the following petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition bears 54 signatures representing teachers in the Archie Stouffer Elementary School, Wilberforce Elementary School, Victoria Street Elementary School, Cardiff Elementary School, Gooderham Elementary School and the Haliburton Highlands Senior Elementary School, all in the great county of Haliburton.

Mr. Bradley: Mr. Speaker, I have a petition to present to the House on behalf of a number of teachers under the jurisdiction of the Lincoln County Board of Education. It reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect

would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is from teachers from these schools under the jurisdiction of the Lincoln County Board of Education: Jordan Public School, Parliament Oak, Meadowvale, Lakeview, Edith Cavell, Lakebreeze, Gainsborough, Vineland, Lincoln Centennial, Maywood, Memorial and Smith.

Mr. Swart: Mr. Speaker, I too have a petition similar to those that have been given by other members here today, in which the petitioners are requesting the Legislature to restore the bargaining rights of the teachers as provided in Bill 100. I will not read the petition, but note that it is signed by 10 teachers from the Fonthill public school in the riding of the Minister of Energy (Mr. Andrewes).

Mr. G. I. Miller: Mr. Speaker, I have two petitions to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to restore collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

One is signed by five teachers from Caledonia, Cayuga and Hagersville, and the second one is signed by teachers from Nanticoke, Cayuga, Selkirk, Jarvis and Hamilton.

Mr. Elston: Mr. Speaker, I likewise have a petition on the same subject signed by a teacher who teaches at the Colborne Central School, the lone representative from the riding of Huron-Bruce who occupies a staff position there.

HUNTING REGULATIONS

Mr. Wildman: Mr. Speaker, I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We, the people of the Sault and surrounding district, are hereby petitioning against the unfair decision of the Ministry of Natural Resources regarding the moose hunting regulations.

"We the people would like to see fairness to all by completely closing the moose hunting season for two years rather than this computerized validation tag system which we do not and will not support now or in the future."

This petition is signed by 269 hunters from Sault Ste. Marie, Batchawana, Echo Bay, Haydon, Hawk Junction, Searchmount and Goulais River. It is submitted because these hunters do not believe they are being treated fairly. They believe the ministry is thinking of making money out of the moose hunt, instead of promoting conservation.

REPORTS

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Robinson from the standing committee on social development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Education be granted to Her Majesty for the fiscal year ending March 31, 1984:

Ministry of Education, ministry administration program, \$41,585,900; education program, \$3,047,426,000; services to education program, \$55,798,200.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. McLean from the standing committee on general government reported the following resolution:

That supply in the following amount and to defray the expenses of the Office of the Assembly be granted to Her Majesty for the fiscal year ending March 31, 1984:

Office of the Assembly, Office of the Assembly program, \$30,830,900.

STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Kerr from the standing committee on regulations and other statutory instruments presented the following report and moved its adoption:

Your committee begs to report the following bill with certain amendments:

Bill Pr32, An Act respecting the Brockville Young Men's Christian Association/Young Women's Christian Association.

Your committee begs to report the following bill without amendment:

Bill Pr38, An Act respecting New Horizons Day Centre Incorporated.

Your committee further recommends that the fees plus the actual cost of printing be remitted on Bill Pr32, An Act respecting the

remitted on Bill Pr32, An Act respecting the Brockville Young Men's Christian Association/ Young Women's Christian Association, and Bill Pr38, An Act respecting the New Horizons Day Centre Incorporated.

Your committee further recommends that Bill Pr15, An Act respecting the City of Hamilton, be not reported, it having been withdrawn by the applicant.

Motion agreed to.

Mr. Nixon: Mr. Speaker, can you use your influence to get the lights turned off for a little while, or are we going to have them on all afternoon?

Mr. Speaker: Would the Sergeant-at-Arms please look into that?

3:30 p.m.

MOTIONS

COMMITTEE SITTINGS

Hon. Mr. Wells moved that the estimates of the Ministry of Labour be transferred from the standing committee on resources development to the standing committee on general government, to be taken after the estimates of the Ministry of Energy.

Motion agreed to.

Hon. Mr. Wells moved that the select committee on the Ombudsman be authorized to sit the evening of Tuesday, October 25, 1983.

Motion agreed to.

INTRODUCTION OF BILLS

HEALTH DISCIPLINES AMENDMENT ACT

Hon. Mr. Wells moved, seconded by Hon. Mr. McMurtry, first reading of Bill 92, An Act to amend the Health Disciplines Act.

Motion agreed to.

FAMILY LAW REFORM AMENDMENT ACT

Hon. Mr. McMurtry moved, seconded by Hon. Mr. Wells, first reading of Bill 93, An Act to amend the Family Law Reform Act.

Motion agreed to.

Hon. Mr. McMurtry: Mr. Speaker, I am pleased to introduce today a small but important amendment to the Family Law Reform Act to respond to concerns raised by members of this House about the sufficiency of the enforcement measures available under the act.

The bill is an amendment to section 30 of that

act and accomplishes two things. First, it makes the remedy of an attachment order, an extremely effective remedy which might be called a continuing garnishment, available against payments under a pension plan. Second, it improves the provision for the variation of an attachment order to make it clear the order can be varied whenever the circumstances of the parties change.

I would emphasize that pensions, even public service pensions, can now be reached by a writ of execution or a notice of garnishment. This bill makes pensions subject to the continuing garnishment remedy called an attachment order, just as salaries and wages are subject to an attachment order under the existing section 30.

CHARITIES ACCOUNTING AMENDMENT ACT

Hon. Mr. McMurtry moved, seconded by Hon. Mr. Wells, first reading of Bill 94, An Act to amend the Charities Accounting Act.

Motion agreed to.

Hon. Mr. McMurtry: Mr. Speaker, the amendment to the Charities Accounting Act I have just introduced is a measure intended to correct the definition of "land" in the 1982 amendment to the Charities Accounting Act.

The 1982 amendment prohibits charities from holding land for any purpose other than actual use or occupation in the carrying out of their charitable purposes. However, we did not intend to prohibit charities that have surplus funds available from lending the money out and taking mortgaged security for those loans. The amendment is to restore charities' rights to take mortgaged security for loans as they were permitted to do under the now repealed Mortmain and Charitable Uses Act.

The amendment is retroactive to the effective date of the 1982 amendment to the Charities Accounting Act.

PUBLIC VEHICLES AMENDMENT ACT

Hon. Mr. Snow moved, seconded by Hon. Mr. Wells, first reading of Bill 95, An Act to amend the Public Vehicles Act.

Motion agreed to.

Hon. Mr. Snow: Mr. Speaker, I have today introduced a bill to amend the Public Vehicles Act. The most important item in this bill is the proposal to make it easier to provide transportation services for physically disabled persons living in rural areas. We propose to do this by exempting those services from requiring a licence to operate beyond municipal boundaries when

operating vehicles equipped with special lifts or ramps and while they are being used exclusively for the transportation of the physically disabled and their attendants.

Another item proposed is to eliminate the authority of a municipality to levy a fee for a public vehicle operating on a route through its municipal limits. There are only three municipalities in the province doing this at present—Guelph, Oshawa and Brantford—and the significant administrative costs outweigh the revenues collected.

There are also several housekeeping items to clear up, redundant provisions regarding licence plate requirements now covered by the new permanent plates on public vehicles.

HIGHWAY TRAFFIC AMENDMENT ACT

Hon. Mr. Snow moved, seconded by Hon. Mr. Wells, first reading of Bill 96, An Act to amend the Highway Traffic Act.

Motion agreed to.

Hon. Mr. Snow: Mr. Speaker, I have introduced today a bill to amend the Highway Traffic Act. Many of the provisions and amendments I will refer to are necessary to improve operational procedures and provide legislation that will be consistent and compatible with the new driver registration system introduced last December.

Some specific provisions have been made regarding motor vehicle permits. A replacement permit will no longer be issued for a vehicle with unpaid fines listed against it. In addition, no one will be allowed to have more than one permit bearing the same plate number or describing the same vehicle. Conditions have also been clarified for the use of dealer and service plates by vehicle manufacturers, dealers and persons in the business of repairing or customizing who require these plates to do business.

It is imperative under the new vehicle registration system that proper use of the permit be enforced. With this in mind, provisions have been made to grant police officers and officers appointed under the act the authority to seize permits in addition to plates and evidence of validation in cases where drivers have unauthorized use of a permit, have obtained a permit under false pretences or have defaced or altered the permit in any way.

Another area of concern is the general penalty. The general penalty level has not been raised since the 1968-69 session of the Legislature. As a

result, its deterrent value has been eroded by inflation. We have included an amendment to raise the minimum from \$20 to \$40 and the maximum from \$100 to \$200.

3:40 p.m.

We have also removed from the general penalty section the penalty for driving a motor vehicle without a licence or without the proper class of licence, and provided a separate penalty for this offence, ranging from a minimum fine of \$100 to a maximum of \$500.

To clarify the meaning of "highway" in the act, the definition has been rewritten to include the entire right of way. Also, "traffic" has been redefined to include pedestrians, animals, vehicles, streetcars and other conveyances.

The legislation has been carefully amended throughout to make the streetcar driver subject to many of the same provisions as drivers of motor vehicles. Drivers of streetcars will be required to hold a valid driver's licence and follow the same basic rules of the road with regard to yielding the right of way, blocking intersections, following too closely, school bus stopping laws and careless driving offences. They will be subject to the same penalties for driving a vehicle under suspension.

Streetcars have also been included in the types of vehicles which cannot be operated in unsafe condition. Also included are combinations of vehicles such as passenger vehicles and trailers.

A special provision has been made to save the public in remote areas the considerable inconvenience of having to travel to a ministry issuing office to have a licence upgraded and endorsed. People authorized to conduct tests for selected drivers' licences and re-examinations, referred to as "selected signing authorities," will be able to endorse existing licences for a temporary period specified in the regulations, to indicate that the holder of the licence has qualified for an upgraded licence.

Some basic housekeeping revisions to the act include the raising of the fine for improper lighting on bicycles from \$5 to \$20 and the requirement for motorcyclists to fasten the strap under their chin when wearing their regulation helmets and to ensure that passengers under age 16 conform with the provisions of the act.

In addition, the length of a semi-trailer has been amended to increase the maximum length from 14 metres (45 feet) to 14.65 metres (48 feet). This increase will bring Ontario's maxi-

mum length in line with all other Canadian jurisdictions and, I might say, with the United States as well.

I trust my honourable colleagues in the House will see the value in these new provisions and amendments to the Highway Traffic Act.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS SAFETY BYLAWS

Mr. Mitchell moved, seconded by Mr. Williams, resolution 15:

That, due to the large number of children who are killed or injured in falls from apartment windows, this House urges all municipalities that have not already done so to pass bylaws under the Planning Act to require that all upper-floor windows capable of being opened in multiple dwelling-unit buildings be fitted with suitable locking or latching devices and/or strengthened screens so that children cannot climb or fall through.

Mr. Speaker: Thank you. I would like to take this opportunity to point out to the honourable member that he has up to 20 minutes for his presentation and he may reserve any of that time for his windup.

Mr. Mitchell: Thank you, Mr. Speaker. It seems only a short while ago that I was able to take a seat in this House after a by-election back in the great riding of Carleton. It seems, as I say, only a short while ago, and yet almost three years have gone by. I want to assure the members I have been working basically that long researching the particular resolution I am introducing today. I would also be remiss if I did not say I had some great help in doing so. I guess one should recognize the parliamentary intern program because my intern, who worked closely with me, did an awful lot of this work and for that I am thankful.

I am sure we have all seen such headlines in the paper as this one, which reads: "Tot Stable after Falling off Balcony." This was a lucky child. I am sure we have also seen headlines like this: "Window Safety: How Many More Will Die?"

My interest in this resolution came about when a gentleman attended my constituency office who was the father of a young child who had been lost through this type of accident. I am asking that this House, by supporting this resolution, urge all Ontario municipalities which have not already done so to pass bylaws under the Planning Act to require that all operable

upper-floor windows in multiple dwelling unit buildings be fitted with suitable locking or latching devices.

Someone asked me the other day why I did not go to a full-blown bill and why it is a resolution. I might answer that by pointing out that had I gone to a full bill, I would have had to be very specific about the type of fastenings or fittings that were needed and, frankly, I am not qualified to do that. But I believe the municipalities with the staff they have and the various building inspection branches and works departments do have that capability and are also able to identify those that would be best to provide the safety I am looking for in multiple dwelling units.

I have introduced this resolution with the hope of accomplishing two things.

First, as an effort at public education I hope the debate on this resolution will serve to remind us that a serious and, in the case of children who live in some high-rise buildings, a life-threatening situation exists which has only been partially resolved.

Second, and more important, it is my hope this resolution will encourage concrete actions to remedy this situation and, consequently, result in a reduction of the risks of injury and death to which some children are currently exposed.

By way of background, over the period of time we were in preparation of this resolution, and further to a letter that was sent out on August 30, 1976, by the Honourable John Rhodes, during my time in my role as parliamentary assistant to the Minister of Consumer and Commercial Relations, we followed up that letter of Mr. Rhodes. I might read a little of it.

In his letter he said: "In recent years a number of children have died as a result of falling from unprotected window and balcony openings in multi-storey buildings. Following an inquiry into one recent death, the chief coroner of Ontario requested that a review be made of the powers available to municipal councils to require the installation of protective features on external openings on such buildings. As a result of this review, I am advised that municipalities have two ways by which they can require that such features be installed which are as follows:

"The new Ontario Building Code makes provision for the installation of safety features on windows and other external openings in newly constructed apartment and multi-family buildings. The municipalities therefore have the power to ensure that protective devices be

its share of apartment buildings, I have a special interest in this resolution. I am sure that my interest is shared by all members but especially by those who have had constituents suffer the loss of a child through the type of accident that this resolution seeks to prevent.

I was pleased to note that in his remarks, the member for Carleton made mention of the fact that the borough of Etobicoke has in place a bylaw which provides for the installation of safety devices on openable windows and balcony doors upon request of the tenant.

Mr. Philip: It is the city of Etobicoke.

Mr. Kolyn: I am sorry. I thank the member for correcting me.

While it is not possible to know how many children's lives have been saved as a result of the installation of safety devices, I believe it is safe to speculate that many may have been.

Take the case of Etobicoke, for example. Between the years 1969 and 1975, three children in Etobicoke were killed as a result of falls from apartment buildings. In one case, a child fell from an apartment balcony railing. In the other two cases, death resulted from falls caused by the fact that window screens, which the children were leaning against, gave way.

However, since 1975, to the best of my knowledge, there have been no reported deaths of children in Etobicoke caused by falls from apartment windows. No doubt part of the credit for this happy circumstance must go to the bylaw.

As the data presented by the member for Carleton indicated, deaths and injury to children as a result of window falls are a serious problem. The data also indicate that it is a more serious problem in Ontario, and especially in Metro Toronto, which has such a concentration of high-risk areas, than it is in the rest of Canada.

However, window falls as a cause of death and injury to children are a problem in urban centres around the world. Just as we have in Ontario, governments around the world have attempted to deal with this problem through a variety of means. It is possible to identify seven different methods that have been adopted in other jurisdictions in an effort to prevent accidents of this type.

Some countries require that operable windows be set at a height above the floor so as to be inaccessible to small children. In other cases, building codes require that window sills be designed in such a way as to ensure the children cannot climb them. Other jurisdictions require window guards, barriers or strong screens, either

generally or in special circumstances—for example, on large openable windows. Others require that large or low windows be unopenable.

Latching devices which limit the size of a window opening are also popular. In some cases, a double-latch system is required. One latch limits the size of the window opening to four inches; the second latch is either too high for children to reach or too complicated for them to operate. An adult can operate this second latch to open the window fully for cleaning or for emergency egress.

The Swedish building code regulations are especially worthy of note. In addition to general regulations, the Swedish code has one section, section 9, which specifically deals with child safety in apartment buildings. The objective of this section, as stated in the code, is to protect children up to six years of age from accident.

I believe it is important that we in Ontario be aware of the experience of other jurisdictions that have attempted to deal with this problem. Our municipal colleagues in particular could benefit from the knowledge of what other Ontario municipalities and other jurisdictions have done in an effort to minimize the risk of window falls. Such knowledge no doubt could be usefully applied in the design of effective safety bylaws.

Knowledge of past experience is especially important, because experience has shown that some of the apparently obvious solutions actually create more safety problems than they solve. For example, if windows are set too high above the floor, escape from the dwelling unit—say in the case of fire—becomes more difficult. Rescue efforts also may be made more difficult.

4:20 p.m.

Similarity in the case of strong screens which could hinder emergency egress and inhibit rescue efforts, I know this has been a source of concern for fire departments across the province. Their concerns, I suggest, are well founded. There is at least one recorded case in Ontario in which heavy-duty screening, installed to protect against falls, may have contributed to the deaths of two young children in a town-house fire. Some members might recall that tragic incident which occurred in the city of North York several years ago.

The concerns which were expressed to my friend the member for Carleton about the adequacy of some safety measures and hardware are no doubt genuine. Municipal officials

are quite right to take these factors into account when reviewing this matter.

Essentially, the problem is to balance the need to protect children from the risks of falls from windows without making emergency egress too difficult. Through their bylaws, a number of Ontario municipalities have attempted to address this problem in a constructive fashion. Their efforts can serve as a model for other municipalities contemplating action in this area.

As my friend has pointed out, since 1975 Ontario's building code has required safety latches on the windows of apartment buildings of over three storeys built or renovated since that date. I would note that since 1978 the Ontario Housing Corp. has required that an automatic safety device be built into every window.

Some concern has been expressed about the cost of retrofitting older, pre-1975 buildings with the necessary safety equipment. It has been pointed out that the window frame design of some older buildings makes it impossible to install strengthened screens without extensive renovations. This, however, does not preclude the installation of safety latches on the windows.

For example, when the city of Toronto was studying this matter, it asked a local firm to look into the questions of designing the necessary safety hardware and the cost of installation. The firm reported that it had been able to design the safety system which would meet the requirements set by the bylaw. The firm designed two systems to cover all types of windows.

According to cost estimates provided to the city by the firm, the hardware costs associated with their design would be less than \$2 per window. Further, it was estimated that the safety latches could be installed at a cost of less than \$15 per window. We are thus looking at a cost of under \$17 per window to build a safer, more secure environment for children in our province.

In addition, the Ontario Housing Corp. safety system which I referred to earlier can also be used in retrofitting older buildings. The cost of installing this system during manufacture is less than \$6 per window. Whatever the cost, it would be a small price to pay to save children from injury or death caused by falls.

As a society, we have found better ways to build even higher buildings. Surely we can devise ways to make those buildings safe for children. Those Ontario municipalities which have passed bylaws dealing with this problem deserve our thanks and congratulations. Those

municipalities which have not yet done so, must be encouraged to act and must be assured of the support and concerns of this House.

I would urge members of all parties to lend their support to my colleague's resolution.

The Deputy Speaker: I would like to thank the member for Lakeshore (Mr. Kolin) for his remarks. The member for Prescott-Russell.

Mr. Boudria: Thank you, Mr. Speaker. I am glad you remembered the name of my riding. I was a little worried for a while.

Hon. Mr. Gregory: The hoser.

Mr. Boudria: I want the member for Mississauga East (Mr. Gregory) to know that I have concern for that as well.

I am very pleased to have the opportunity to speak on the resolution proposed by the member for Carleton.

Last year the standing committee on social development undertook hearings in this Legislature on the issue of child abuse. No doubt the members are aware that we have had extensive hearings into that issue.

One of the witnesses who appeared before the standing committee on social development was Professor Cyril Greenland of McMaster University. In his submission, he stated to us, and it has been mentioned earlier today, that Canada had the highest incidence of children's accidents of any country in the western world.

Those are very frightening statistics. When one thinks of all the things we try to do to improve safety records in this country, it seems we have not done the right thing.

I am glad the member for Carleton has brought up this resolution, aiming to correct the problem he identifies. But I believe the whole problem of safety and accident prevention for our children is certainly a far wider area than what has been raised today. Nevertheless, I applaud the intention of the resolution.

We could be talking this afternoon about an assortment of matters pertaining to the issue of accident prevention. I do not intend to take much time to do so, because we are here to discuss the issue of how to prevent accidents involving high-rise apartment windows. I want to illustrate some cases from a series of newspaper articles I have gathered for this discussion.

Here is one from the Toronto Star of June 16, 1983, in which we have the headline, "Doctors Should Prescribe Home Safety for Children." It talks about all kinds of things, from the way our electrical outlets are designed, to excessively

required in buildings erected in accordance with the new Ontario Building Code." Remember, this letter was in 1976.

He goes on to say: "These new provisions cannot, however, be applied retroactively to existing buildings erected before the code came into effect. For such buildings, I am advised that a municipality has, through the application of a maintenance and occupancy bylaw, passed, under the provisions of section 36"—now I believe section 43—"of the Planning Act, the power to require that safety features be installed, providing the bylaw prescribes an appropriate standard. Such a standard may be derived from the standard prescribed in the Ontario Building Code or an alternative standard which the municipality deems to be appropriate.

"Since this is a subject of significant public concern, I would be obliged if you could bring to your council's attention the powers described above, which are available to a municipality in ensuring protection for children occupying suites in multi-storey buildings. Your council may deem it appropriate to amend its maintenance and occupancy bylaw to provide for the requirement of such safeguards."

3:50 p.m.

As I say, that letter went out from the Honourable John Rhodes in 1976. I followed up that letter. In fact, I was quite pleased because, when I began to follow it up, I did get responses, and I must commend the city of Toronto and others for the fact that they have acted on it. I know other speakers are going to speak about that, so I will not digress except to say that if the members are interested in how much research went into this project, it is the story, the sad story in here in some cases, of young children. It also contains comments from the various provincial authorities and comments and responses from the municipalities throughout the province, and I make them available to any member who might be interested in reading through them.

The injury and death of children under the age of 15 caused by accidents in Canada has been characterized by some medical and safety experts as a silent epidemic. According to the Canada Safety Council, this silent epidemic claims on an average the lives of 1,200 children under the age of 15 every year.

There was an article recently in one of the newspapers about the fact that this resolution was being put forward. Somehow or other the opinion got out that there were no statistics to back it up. There are statistics. I told the person

I did not have them right in my hand at the moment. By the way, these are deaths. There are many statistics available, but in many cases there are no statistics available from the hospitals for those young people who lived through such a fall.

I have the statistics here from 1969 to 1978. In 1969 it appears that only one was reported; in 1970, two; in 1971, one; in 1972, three; in 1973, one; in 1974, four; in 1975, two; in 1976, two; in 1977, three. That is what I have during that period.

But do numbers really count here, or are we concerned about one child? I suggest very sincerely that we are concerned about one child. As I said earlier, in addition to these fatalities, this silent epidemic injures and maims thousands of other children in Ontario and Canada every year. It has been estimated, for example, that for every fatal accident involving a child, between 200 and 900 children are admitted to hospital and between one and four children are permanently handicapped. The bottom line is that we in this country have one of the worst records for childhood accidents among western industrialized nations.

This is not a record of which we should be proud. The statistics reveal a tragic waste of young lives made all the more tragic by the fact that many of these so-called accidents are preventable. The objective of this resolution is to help prevent the recurrence of those tragic incidents in which children have been hurt or killed by falls from or through windows in multiple dwelling-unit buildings.

It is a funny thing, Mr. Speaker—perhaps it is not funny; that is a wrong use of words perhaps—this resolution is obviously directed to the safety of young people, but many of us, I am sure, will recall the accident that happened here in Toronto approximately a year ago when an adult fell from a second-storey window and was killed.

In any event, we are dealing with a limited risk situation, though one which is fairly prevalent in urban centres. As those of us who are parents can readily attest, children have an apparently God-given talent for falling down, over or through just about any object imaginable.

It is perhaps indicative of the age we live in and a modern passion to measure all things measurable that we now have statistics to confirm what every parent has long known. A study conducted by the Hospital for Sick Children indicates that since 1976 falls have been the most common cause of injuries to children. In the period surveyed, the hospital recorded 1,000

injuries to children caused by falls down stairs, including 10 who fell down escalators and 107 infants who fell down stairs in walkers. Another 34 children were hurt in falls from porches, 28 from roofs, five from falls over banisters, and 351 from beds or cribs with 54 of those being from bunk beds.

In addition, 426 children were injured in playground falls. Of particular relevance is the fact that 12 children were hurt in falls from balconies and eight were hurt in window falls. Window falls from multi-storey dwellings are of specific concern because they often result in severe injury or death.

It is not within the power of any legislature, public agency or parent to protect children totally from falls. The repeal of the law of gravity, unfortunately, lies beyond our jurisdiction, but we do have a responsibility to do what we can to create a safe environment for children.

National data on the scope of the problem of children injured or killed in window falls are difficult to obtain. In fact, I have a letter somewhere in here from British Columbia which I will read. It is addressed to me and says, "With respect to your letter of November 17 dealing with children and window safety, we have been unable to track down coroners' reports concerning children falling from windows; so we must assume that these have not occurred in British Columbia." As I mentioned, information is not all that readily available.

Information compiled by the associate committee of the National Building Code of the National Research Council of Canada indicates that over a seven-year period, 1968 to 1975, there were 13 deaths as a result of window falls. There are also records of five other cases in which children were seriously injured as a result of window falls. In many of these reported cases, screens had either been removed from the windows or gave way under pressure.

It is particularly disturbing to note, of the 23 cases of children killed or injured in a fall from a balcony or window, that all but one or perhaps two that we have been able to ascertain occurred in or around the Toronto area. In Ontario, I am aware of approximately 22 deaths that have been caused by falls from windows or balconies. These deaths occurred between 1969 and 1983. Of those deaths, 19 involved children under the age of 12, of whom 17 were five years or younger.

I would like to save a little bit of time for wrapping up and adding just a final request for support to this House. If I may, I will leave it at

this point and reserve the balance of my time for a wrapup.

The Deputy Speaker: I thank the member for his remarks, and he has four minutes reserved.

4 p.m.

Mr. Epp: Mr. Speaker, I am pleased to be able to speak on this resolution, which I am certainly going to support, and I commend the honourable member for bringing it forward.

All of us are aware of the tragic instances that startle our senses sometimes when we read the newspapers in the morning or evening. I have a few reports of them here. The member has listed a number of statistics, which I do not want to repeat, but we do have a number of instances where children have not had the proper protection and, in their innocence, have climbed up on sofas, climbed out of windows, fallen and either have been very seriously injured or have met their death.

That is most regrettable and there are things that can and should be done. In fact, there are things that should have been done over the years to try to protect against this. This is particularly real in metropolitan areas such as Metropolitan Toronto, in regionalized areas such as Ottawa and Hamilton and in other areas where there are a lot of high-rises.

I am somewhat at a loss to understand why this should be put at the doorstep of the municipalities when the government could pass legislation making this mandatory overnight. Obviously, the government would want to consult the municipalities, builders and so forth on these matters, but it is something that could have been included in the Ontario Building Code some years ago. The fact that these deaths have become more prominent in the past few years does not excuse the government from the fact that these things have happened for many years. The government has been aware of them and it has done nothing with respect to trying to resolve the problem.

If I am correct, some of the regulations which the member suggests should be included by the municipalities are currently not in the Ontario Building Code such as where a window perhaps should not be opened any further than four inches. It is something I think Mayor Lastman of North York suggested. That is something that either in legislation or regulations the government could incorporate overnight and it is still not doing it.

I would hope the member would get his own back-benchers and particularly the cabinet behind

him in this. I have no difficulty in supporting him on it. I only wish he would be able to convince his own colleagues in the cabinet that they should do it.

The Minister of Labour (Mr. Ramsay) is here. I know he is very concerned about this, and I know he is a sincere individual. I hope he can persuade his colleagues as well as the Minister of Municipal Affairs and Housing (Mr. Bennett), who is absent. Somebody should tell him to get on the bandwagon and do something, because he can do something much more quickly than the 835 municipalities which individually have to pass maintenance and occupancy bylaws. I suggest to the member for Carleton (Mr. Mitchell) that he really should speak to his own people about this and do something.

I find it somewhat strange too that we are imploring the municipalities to do something, to pass these bylaws to protect the youngsters, but when municipalities ask the province for various assistance the province turns a deaf ear to the municipalities.

Let me suggest a few instances of this. One, of course, is recent; that is the demolition bylaw that the city of Toronto has asked for and the resolution that I believe the borough of York passed within the past few years asking the province to pass a law that would give it authorization to control the demolition of buildings.

What I suggest is that the province is very selective in the things it wants to accept from municipalities and the things it does not want to accept; in other words, selective autonomy as far as the municipalities are concerned. I do not disagree with the member, but I suggest that he should first go to his colleagues on his side of the House and get them to be a little less selective with respect to autonomy and look at what they can do as the government of this province.

With respect to unconditional grants, there are many municipalities across the province that say they are not being consulted by the province. Again, this is a very selective form of attention the province is paying to the municipalities.

Conversion to hotels is something a colleague of mine, the member for Parkdale (Mr. Ruprecht), has mentioned on a number of occasions. He asked the government to pass legislation preventing apartment buildings from being converted into hotels. This was raised in the spring when there were a lot of conversions, but so far we have not had any indication from the government with respect to these matters.

Not long ago the city of Etobicoke asked for passage of Bill Pr47, which concerns the adult-only buildings. They wanted some legislation on this matter, and the government has not acted. The city of Toronto has asked for tighter legislation with respect to historic buildings.

The point I want to make is that I have no difficulty in supporting the resolution. I commend the member for bringing it forward. I am not opposed to municipalities taking these steps and passing these bylaws. But it is a long drawn-out effort.

There are a lot of municipalities out there; there are more than 800 of them, as I pointed out. So the government could correct this through one piece of legislation, make it retroactive and thereby probably save a considerable number of lives.

I suggest to the member for Carleton that he should look seriously at imploring his colleagues on that side of the House to take that type of very positive, very constructive action, which is necessary in circumstances of this kind.

The Deputy Speaker: I thank the member for his remarks. The member for Etobicoke has 10 minutes.

Mr. Philip: Mr. Speaker, I support the motion. I support it because I believe the honourable member wants to do something about what is an ongoing problem. He has mentioned how far back members in this House have been aware of the situation.

Like the former speaker, I have some concerns as to the route the member wants to go. It is a laborious, highly expensive route that he wants to take. What he is saying essentially is that we as a province are going to give up our responsibility and try to convince the municipalities that they should act in a responsible way.

If the problem is as he says it is, and I believe it is a serious problem, then I would suggest that the fastest route to go would be an amendment to the Ontario Building Code. A private member's bill, which he could introduce with the support of his minister, would receive, I am sure, unanimous consent in this House, and very soon the problem could be corrected.

I recognize that the member has a problem with that. He has a problem with the incumbent minister in that particular portfolio. The former speaker pointed out just how intransigent the present minister is when it comes to doing any of the kinds of reforms that municipalities have asked for in terms of protection for some of their people when they violate what the Minis-

ter of Municipal Affairs and Housing considers the property rights of landlords.

That has been a major problem, both with Bill Pr13, the city of Toronto bill, and indeed with legislation requested by the city of Etobicoke and other municipalities to protect their citizens from various types of abuses.

The other question I have for the member is, why has he restricted it to windows? When a researcher who does some work for me called the coroner's office, the response was: "Yes, that is a problem. There are some children being killed that way. But the major problem in terms of children losing their lives through accidental deaths of falling comes not from windows but from balconies."

With all the research the member has done, one would have thought that he would have at least expanded his resolution to deal with the problem of balconies where, as I understand from the coroner, there are a lot more tragedies than there are from windows.

4:10 p.m.

The member has pointed out that the city of Toronto has a bylaw that was proposed to come into effect in October 1983 to require landlords to retrofit the windows of their buildings with safety latches. However, my understanding is that substantial opposition came from the larger landlords and that the city of Toronto has postponed, at least temporarily, the amending of the housing standards bylaw, which it has the power to do and which it is going to do under the Municipal Act.

The city of North York since 1981, as the member noted, has required safety devices in apartments where there are resident children six years of age and under. The landlords are required to install them or the tenants may repair or install them and the municipality will inspect to make sure the building is up to standards.

I have never been a great fan of the Ontario Housing Corp., but it is interesting that Ontario Housing has shown some leadership in this regard on a province-wide basis. It shows what can be done province-wide when one very large landlord, namely, the Ontario Housing Corp., decides it wants to act. The field manual for Ontario Housing deals not just with windows but also with balconies. It says:

"Tenants signing a lease must be made aware of the choices available to them in connection with balcony and window safety. Each tenant must be notified that sliding window stopping devices preventing windows from opening more

than four inches are either available or can be designed to fit any kind of window and, upon request, will be installed by the housing authority staff.

"A record of advice and notification must be maintained, together with the date of request of installation and the date that the work is completed.

"Where the tenant is advised by staff regarding window devices but declines the offer, a signature to that effect will be necessary; and if the device is removed by the staff as a result of the tenant's request, a signature must also be obtained.

"The stopping devices for window washing must be replaced by contract or project staff. Screens in high building projects must be capable of restraining a horizontal load of 34 kilograms" —in other words, about 75 pounds—"total and must be secured to the window frame with channels and angles at least three eighths of an inch, legs on all four sides.

"The housing authority and manager's staff must be constantly on the alert for potentially dangerous situations, and parental supervision, for example, must be supplemented and reinforced by the staff."

Then it goes on to give fairly elaborate instructions about how the housing authority managers must issue warning notices to tenants outlining the requirements on balcony doors and that repairs of defects must be made immediately in these areas. So Ontario Housing has taken some leadership in this, and we can see what can be done very quickly when the province or one of its provincial agencies wants to act.

In conclusion, I simply want to say that I wish the member had introduced a bill. I wish it had applied province-wide through the building code. I wish it had gone further, that it had dealt not just with windows but rather with an even more serious problem of balconies and doors. None the less, I hope that voting for this may serve some educational purpose. Maybe the Minister of Municipal Affairs and Housing will even read or hear of this and decide that he will take some action at the provincial level before too many more children are injured or, worse still, end up in another coroner's report.

Mr. Kolyn: Mr. Speaker, I too am pleased to have the opportunity to participate in this debate and to support the resolution introduced by my colleague the member for Carleton.

As a representative of the riding of Lakeshore, in the great city of Etobicoke, a riding that has

hot water in our homes. Sometimes children end up being scalded.

Also, there is the problem of guns lying around the house. Poisonous substances left lying about our homes are another important issue that we should be talking about. The very famous one of children being left unattended in those very famous shopping carts is another issue of concern all of us should be addressing.

All of this is to say that we have a long way to go in reducing the number of accidents our children are suffering in this country, and especially in this province, because that is the area we are concerned with today.

Only two days ago we raised in this Legislature the matter in which children are often allowed, permitted and sometimes encouraged to drive such things as motorcycles and snowmobiles and the like. We see children as young as six, seven, eight and nine years of age driving big machines.

I am particularly pleased to say the Minister of Transportation and Communications (Mr. Snow) favoured the amendment I proposed to his new all-terrain-vehicle law, preventing children under the age of 12 from driving the motorcycles I referred to in that law.

Sometimes, and I have referred to this before, we can call some of those phenomena we see "the neglect of affluence." It is interesting to see how we as a society portray different kinds of child neglect in a different way.

We have heard, for instance, in the same committee I referred to previously, how a particular family may have had an alcohol problem and therefore a child was allowed to be in a home and froze because of lack of heat or something like that.

On the other hand, a child who is given a toy snowmobile and freezes because he falls off it into a snowbank, or that type of thing, does not have nearly the same kind of stigma attached to it. That is ridiculous, because any form of child neglect that causes injury should be a concern to all of us.

Similarly, when we discussed this particular resolution, it is evident that upon occasion children are allowed to be alone in apartments when they should not be. Often they are allowed to play near windows; often they are on the balconies outside these high-rise buildings and fall off them too.

4:30 p.m.

We have a situation here where the member for Lakeshore said it would cost something in the order of only \$17 to correct a problem with

any given window. While that is not a very large amount, when one considers the alternative one cannot help but wonder why this has not been done already.

I recognize that the building code, since 1977, now contains measures to prevent a recurrence of some of the things that have happened in the past. We all know, especially in view of the housing shortage we are experiencing right now, that not very many buildings have been built in this province since 1977. Had there been very many buildings constructed, we would not be in the housing mess we are in at present.

Therefore, we can only assume that the new law that has been referred to by the member for Carleton has not had a very great effect up until now. I can see only one solution to the problem and that is to pass laws forcing the existing buildings, over a given period of time, to correct the problem and not leave it up to each individual municipality.

We have been elected and have the responsibility for administering those things in the province. I cannot help but believe we have to enact more serious laws to this effect than we have in the past, allowing for a time frame to ensure that some of the owners of the smaller dwelling units will not be put in a situation where they will not be able to afford the modifications that are necessary to the buildings in order to avoid this happening in the future, but nevertheless, establishing some form of time frame—perhaps so many windows on so many buildings have to be done each year over the next three or five years.

If we do not pass any kind of law ourselves to that effect and just pass the buck on to the municipalities, I do not think we will ever solve this problem.

We are looking at the laws of today, and it is very difficult to pass laws retroactively, but high-rise buildings have not only been built since 1977. The government of this province has been in power for more than 40 years now. Surely we have all been here and been in the situation long enough that we know those buildings have existed.

The high-rise building has been built in this country for a very long time. We have known about these problems for a long time and it is time that we stopped talking about them and addressed the problem through legislation, allowing some time frame to correct the problem, but nevertheless putting in a finite deadline, at which point we will say we have finally licked this problem.

Having said that, we will have corrected only one small area of accident prevention for children because it is my view that with the record we have in this country and the province, we have to go much further.

Mr. Breagh: Mr. Speaker, I wanted to address myself—

Mr. Nixon: What a leader he would have made.

Mr. Breagh: Remember the old Nixon now? Fantastic statement. Great results too.

I wanted to participate in the discussion this afternoon because this resolution does touch upon a problem that has been a concern to many of us. I applaud the member for the initiative of putting the resolution before the House. It is unfortunate that he was unable to attend throughout most of the debate this afternoon because there are many members here who have been aware of this as a problem for a lengthy period and who have some experience in trying to resolve the difficulty.

Though I am sure all of us will support this resolution, because this is a very serious matter under discussion, I think many of us who have been working in this field for any period of time realize that the solution proposed in the resolution itself is somewhat shortsighted. It misses the basic problem. I think we have to look at what is the difficulty.

If one wants to, I suppose one can say that the problem is with children and the problem is in urban centres and is basically that kids sometimes fall out of apartment windows. I think that is a rather shortsighted view, because the truth of the matter is that any opening above the ground floor in any kind of building has the potential to be a dangerous thing. If one wants to truly attack the problem one does not simply ask someone else to do something about it. One begins to put in place all of the things which governments can do.

In this order, I would say the simplest and most straightforward way to begin the process would be to go to the National Building Code and make some form of safety device for any kind of an opening above a ground floor mandatory. The reason I would pick that as my first approach is that most of the mortgaging in the country is written to that particular code.

The second most obvious one would be to move to something which is right in the government's own jurisdiction and that is the provincial building code, because there are also mortgages written to that particular code. The

third level would be to move towards uniformity where municipalities have local building codes and to do it there.

If one began the process in that manner, one would immediately pick up all new construction. That would solve a portion of the problem. The matter of retrofitting has to be dealt with, and it is not an easy one to deal with, because one can go through the bylaws that are written in Ontario and elsewhere to try to cover this problem through a local bylaw and one soon sees that is a tricky piece of business.

When one talks about retrofitting, one really has to be prepared to talk at the same time about some kind of an incentive program, whether one is talking cash amounts of money, as the government of Ontario and the federal government have from time to time done with home owners, for example, to make certain kinds of home improvements, the most recent ones having to do with the saving of energy. One needs some kind of incentive, whether that is money in a person's hand or the ability to write it off in property taxes. There has to be something in that, if one wants to do it on a large scale, to really catch the problem, something which provides an initiative for individuals and in some cases companies or corporations in the private sector and in some cases people who are functioning in the public sector as well.

There needs to be some level of study done in terms of whether one wants to go to a particular device. Having looked at several different kinds of municipal bylaws, it seems to me that many of them resolve one problem—that is to say they provide some device which safely locks a window or prevents a child from falling out a window—and promptly create other problems, as other members have mentioned, such as access during an emergency period. I think there is a good deal to be studied in this particular regard. There are many things which people should do.

The one thing I regret about this resolution is, I recall being on municipal council in the early 1970s when this problem was discussed in our area. We discussed it with provincial Ministry of Housing officials at that time. They had a fairly rational argument about a decade ago. They said: "This is a relatively new problem, at least it is new in terms of the government being aware of it being a substantial problem. Our first line of defence would be to turn to the municipalities and say, 'Why don't you put together some municipal bylaws which will resolve the problem?'"

It has been about a decade since those discussions first began. It has been, by my count, about seven years since the then Minister of Housing, John Rhodes, wrote to the municipalities asking them to put together these bylaws. It has been debated at municipal conferences, at the Association of Municipalities of Ontario and at local councils for the better part of a decade. It is apparent to me that municipal councils are not going to do that, for whatever reason.

We have had a decade of experience and I think it is time to recognize that perhaps what municipal councils are saying is that they would be happy to pass a corresponding bylaw at their local municipal level to cover this problem, but they are anxious to see the federal and provincial governments do their fair share of attempting to resolve it too.

It is not as if the problem is new. It is a problem which is dramatic when a small child falls out of an apartment window here in Toronto. It gets the news for a while. Unfortunately, it is the kind of thing which does not get repeated follow-up stories. One will see the mayors of municipalities, if a tragedy like that occurs in their municipality, address themselves to the problem. The difficulty is that is not good enough. We need more than that. We need building codes and municipal bylaws which address the problem and we probably need some incentive programs at different levels of government to see that the retrofitting occurs.

4:40 p.m.

After about a decade of discussion on the matter, I would have wanted more than a resolution and a private members' debate this afternoon. It seems to me the problem is clear and the solutions are becoming just about as clear. There are some direct actions which the province could take and has resisted for the better part of a decade. I find that somewhat regrettable.

It seems to me that the federal government has been aware of the problem and has taken very little action of its own. As a matter of fact, the only place where I can find very much activity of a concrete form is at the municipal level. Perhaps that is because people who sit on municipal councils, when a tragedy such as this occurs, are more likely to have personally to experience a little bit of that tragedy. They are going personally to have to explain at the next council meeting why they do not have a bylaw which attempts at least to resolve this problem.

What would have pleased me more this afternoon would have been to see a resolution, if the member wanted to use that form at, which addressed itself to the problem in total rather than just in part. It would have been a resolution which pointed out the responsibilities different levels of government have to take some concrete action to resolve the problem.

From the remarks I heard this afternoon, I think it is rather unfortunate that people seem not to be aware that this is also a rather severe problem for elderly citizens who have some difficulty with mobility. It is a problem that is not restricted to a window but is a very real problem no matter what kind of form the opening takes. If there are resolutions to those problems that have been used in other jurisdictions, then we should be aware of those and attempt to adopt them.

Like most things which governments attempt to do these days, it is not a problem which is going to be resolved by any one level of government. One of the things which used to confuse me when I first got elected to this Legislature was that people in Oshawa did not always know what provincial jurisdiction was. It used to cross my mind that they did not understand the process of government in Canada. The longer I am elected, the more I think they were right and I was wrong. It is true to say that in Canada government, in the largest sense of the word, must take some kind of cohesive action before anything really occurs.

I would have been happier with a resolution which was more comprehensive and which addressed the larger problem, rather than a version of that. But I will be pleased to support the resolution. I hope the member will have a little time to follow up. I would also appreciate an explanation as to why he was not present for the debate this afternoon.

Mr. Williams: Mr. Speaker, I am delighted to participate in the debate this afternoon, particularly given the length of time I have to respond.

I had a very lengthy series of matters to bring before the Legislature this afternoon, but given there is only one minute left to me, I will simply point out how the city of North York, of which I am proud to be a resident and former member of the council, has taken the initiative that is mandated to all municipalities under the provincial Planning Act to deal with apartment buildings that predated the enactment of the Ontario Building Code.

As the sponsor of this resolution pointed out, there are legislative ways and means to deal with

this problem, but it does require the participation and joint effort, not only of the provincial government but of the local municipalities.

The Acting Speaker (Mr. Cousens): I thank the honourable member for his participation.

Mr. Williams: The city of North York is to be commended for having been one of the first to initiate the local bylaws necessary to provide the protection sought under this resolution.

The Acting Speaker: Thank you.

Mr. Mitchell: Mr. Speaker, in response to the question raised by the member for Oshawa (Mr. Breaugh), when I left I informed the member of the opposition who was speaking that I had to leave, unfortunately, to chair a committee to allow a member to come up to participate in this debate. I came right back from the committee as soon as that time was allocated. I trust he will accept that comment.

There have been a lot of comments that this particular resolution does leave quite a degree of responsibility to the municipal governments, but I am pleased to report that the municipalities are responding to this particular resolution and to the letters that have gone out with regard to it. A number of our major urban centres, including Toronto, North York, Scarborough, Hamilton and Etobicoke have passed bylaws requiring the installation of safety devices on operable windows.

By way of example, on April 22, 1983, the city of Toronto passed a bylaw, scheduled to come into effect on October 1, which requires that every window capable of being opened within a dwelling unit within a multiple occupancy dwelling shall incorporate automatic engaging devices that limit the opening of the window to a maximum of four inches and that cannot be removed or bypassed other than by use of a tool designed specifically for that purpose.

The borough of Etobicoke requires under its maintenance and occupancy bylaw, adopted under the Planning Act, that the owner of the building, upon request of the occupant, install safety devices on operable windows or balcony doors which will prevent a child from opening the door or window beyond four inches.

The city of North York requires similar safety devices in every apartment located above the first floor in which there are resident children aged six or under. The North York bylaw further stipulates that any occupant of a dwelling unit which requires such devices but refuses to have them installed is guilty of an offence.

These few examples should serve to indicate

to the House the type of actions which municipalities have taken to prevent window falls.

It was some two and a half years ago when I began this, and I began it as I said earlier because a father had visited me at my constituency office to see what could be done because he himself had been on somewhat of a one-man crusade trying to convince people that this was a problem. It may not be the total answer, but I suggest to the members who have spoken in support of this that certainly it is a step. I will take the challenge issued by the member for Oshawa and continue to pursue it, but I do ask for the support of the whole House for this resolution.

EQUAL PAYMENT FOR WORK OF EQUAL VALUE

Ms. Copps moved, seconded by Mr. Peterson, resolution 16:

That the principle of equal pay for work of equal value be enshrined into the Employment Standards Act.

Ms. Copps: Mr. Speaker, first of all, might I preface my remarks by expressing thanks for the tremendous work of my colleagues on this issue, the tremendous work of many groups across this province who support this principle and, in particular, the work by a person who has joined our research staff of late, Cathy McBride. I do want members to recognize that some of the remarks I have to make represent not only my beliefs, but the beliefs of many people across this province.

This country has come a long way in its fight for fair pay and fair play in the job market. Indeed, there are many among us who may believe we already have enough laws governing how we are employed, when we are employed, what hours we work and when we take our vacations. The cynics among us may be asking, "Why another law to incorporate that ethereal concept of equal value legislation?"

4:50 p.m.

First of all, we must address what the law would do. It is a well-known and oft-banded fact that women in this province earn, on average, 63 cents for every dollar earned by a man. It is also a fact, contrary to popular belief, that the last decade has not made a significant impact in narrowing that gap, this despite the fact that we have had equal pay legislation in this province since 1951.

What would my resolution do to rectify that? We already have laws in this province governing

equal pay for equal work. In other words, I am paid the same as my male colleagues on this side and on the government side of the House. However, the law at present is very clear that a comparison can only be made of similar jobs. Hence, a lifestyles reporter of a newspaper could within the present legislation be compared with a city reporter. My resolution would allow a comparison of dissimilar jobs by firmly defined indicators, including skills, responsibility, effort and working conditions.

The concept of equal value legislation is not new to this province, nor is it new to this government. I am sure all members of this House will be proud to know that the Ontario government was a signatory to the International Labour Organization convention 100 back in April 1972. That is say, and to say clearly, that this government has supported the principle of equal pay for work of equal value for more than a decade. Now is the time to enshrine that principle in law by amending the Employment Standards Act.

Will the law abolish the inequities present in salary comparisons today? Of course not. Even liberal—and I stress small “l” liberal—estimates show that the legislation would potentially affect only up to 10 per cent of the jobs in Ontario. What about the bureaucratic nightmare that would supposedly ensue as a result of the law? That same vision of chaos was incited during our discussions of introducing the protection of the handicapped into the Ontario Human Rights Code. In fact, the stampede of complaints in that area, as I am sure the former Minister of Labour will recall this, never materialized.

Suffice it to say that we have an existing office in this province, through the employment standards branch, that already deals with existing complaints about contraventions of current equal pay legislation. Those officers could easily be trained to incorporate the equal value composite test into the consideration of their case investigations.

As to the impact on small and large businesses in this province, again we must be clear in stating that we believe that no good corporate citizen would knowingly discriminate by paying different salaries to workers who are performing jobs of equal value. In our age of reason that inequality simply does not make sense.

What is needed, and what is needed now, is a broad-based understanding of exactly what is involved in the new legislation. To this end, I would point to an example that can be understood by all. A seamstress in an auto parts firm is

paid 25 cents less an hour than her colleague who sweeps the floor, and yet no complaint can be made under the present legislation because the jobs are dissimilar.

At a major Ontario university the predominantly female clerks, who are required to have a grade 12 education and certain clerical and typing skills, are paid \$1,000 per year less than groundskeepers in the same establishment with no educational requirements and no prerequisite skills; yet again under the present legislation those comparisons cannot be made because those jobs are dissimilar.

Is equal value legislation designed only to assist women, one might ask? Of course not. Although it has been seen in the context of issues affecting women, because women for many historical reasons have been isolated in low-paying job ghettos, this legislation would assist anyone who was being unfairly paid in comparison with fellow workers. Suffice it to say that the heralded federal government decision on this issue affecting some 3,300 workers included an effect upon 1,000 men.

There is a much more fundamental issue involved, and this is where we must address the question of putting principle into practice. The present Minister of Labour (Mr. Ramsay) has stated, as has this government on numerous occasions, he supports the principle but the timing is not right. That has been the position taken by this government since 1972. But is it fair to the thousands of ghettoized workers in this province who are being paid less money for work of the same value? Is it fair that they have been faced for more than a decade with ongoing discrimination that has been fully known because the government endorses the principle but is concerned about the timing?

What we are discussing is an economic issue. At stake is the start upon the road to economic equality for the women of this province, a start that has already been made by the government of Canada and the government of Quebec. The perfect economic moment may never be here. When times are good, we lose focus on those who are not faring as well. When times are tough, we say we cannot support the economic burden.

It seems to me this same issue of economic equality would likely have deterred landowners from freeing the sharecroppers in early American history. The same issue of economic timing deterred the introduction of equal pay legislation when it was introduced in this Legislature in 1951.

Equal pay for equal work legislation was introduced in this province before I was born. It is clear legislation has not succeeded in addressing the inequalities everyone recognizes in the system. The time has now come for the second step, enshrinement into the Employment Standards Act of equal pay for work of equal value.

We are not seeking cosmetic changes to the present equal pay legislation. We are seeking endorsement of a principle which was originally endorsed by this government more than a decade ago. We are seeking enshrinement into the Employment Standards Act of legislation that will guarantee equal pay for work of equal value to every worker in this province.

I do not want to mislead this House. Passage of this legislation will not result in salary parity for men and women across this province. As I stated earlier, we are considering a resolution which, if implemented, would affect approximately 10 per cent of the jobs in this province.

However, this resolution must be endorsed as a first step in a series of legislative and educational initiatives that will lead to equality of opportunity for all. We women must be prepared to dare. We women must be prepared to consider nontraditional occupations. Our children must be educated to understand that each of us, as an Ontarian, has an equal right to dream and an equal right to achieve.

We often bemoan individually and collectively the lack of female representation in our government. The key to representation, the key to opening doors of opportunity for women across this province, is economic equality. Until we as a Legislature and as a society can stand together and say we support not only the principle, but the practice of equal pay for work of equal value, we will be robbing our province of one of our greatest natural resources.

Women make up a tremendous storehouse of energy, ideas and commitment. It has been said the hand that rocks the cradle rules the world. I call upon my colleagues on all sides of the House to join together today to help women help rule Ontario.

5 p.m.

Mr. Rae: Mr. Speaker, it is with great pride that I rise on behalf of my party, as the leader of our party, to indicate our full support, naturally, for the resolution put forward by the member for Hamilton Centre (Ms. Copps).

Mr. Speaker will recall that it was a colleague, now departed to the land of nonpolitics, Mr. Bounsall, who moved a private member's bill in this very Legislature with respect to the ques-

tion of equal pay for work of equal value, a bill that was passed by voice vote of the Legislature but opposed by the government at that time.

It was opposed by the member for York East (Mr. Elgie), the then Minister of Labour, and by the former Minister of Labour, Mr. Macbeth, when they spoke in the Legislature and, as a result, went into the limbo to which private members' bills are sometimes sent.

This is a resolution and not a bill, but it is still a statement of principle that is extremely important for this Legislature to express. It is now the law of Ontario that if a man and a woman, or indeed any two people, are doing exactly the same work, it is illegal for an employer to discriminate in terms of pay or benefits between those two people. That is the principle of equal pay for equal work.

I want to suggest that is taking only a very small step to dealing with the real world of discrimination that exists in the work place. The minister is well aware of that discrimination and of the pattern of discrimination in terms of pay, classification and ability to receive a reward for work well done. We need to take a further step, the step that has taken place at the federal level and in the province of Quebec, and that is the step of assuring equal pay for work of equal value.

The government's resistance and the arguments one hears in opposition to this principle are exactly the same arguments with respect to employment standards that the Tory mind, if I can use that term in its loosest sense, has invoked against every single basic improvement in the rights of working people, men and women, in the past 100 years.

I challenge you, Mr. Speaker, to look at the Legislative Assembly debates, or those in any jurisdiction, and at the expression of opinion that came from employers' councils and their spokesmen in the Legislature or in the House of Commons from the Tory party with respect to children working, with respect to public education and with respect to every advancement that has ever been made in the field of employment law, and you will get exactly the same arguments from the Tory side.

What are the nature of those arguments? It is too complicated. It has never really been done before. It requires too much regulation. It is too much intervention in the marketplace. It will make it more difficult for people to make money out there. It will cause economic chaos and ruin.

Those are the horrors that are paraded and,

indeed, were paraded by the member for York East when he was the Minister of Labour and by Mr. Macbeth when they spoke on this issue. I think it is time we came of age in this Legislature and refuted those arguments for the entirely bogus arguments that they are.

It has not produced chaos at the federal level, where it has been introduced, and it has not produced any form of chaos in the province of Quebec, where it has been introduced. Has it cost some money? Yes, of course, it has cost some money.

Has the federal public service had to respond, in terms of the arbitrary nature of its previous classifications, to the legitimate concerns raised by women working consistently in job ghettos and demanding a way to get out? Yes, it has.

Has it meant the Public Service Commission has had to fork out some money in terms of past payments? Yes, it has. But what a small price to pay for the implementation of an essential concept in the new world of work in which we happily find ourselves in this province.

When I was first elected as a federal member, I can remember the Minister of Employment and Immigration—it was a Liberal at that time—talking about the secondary labour market. Then the Liberals suddenly realized that concept might strike some people as discriminatory, which it is. The illusion that women are somehow working out there for pin money has got to be one of the most nonsensical and absurd neanderthal ideas still occasionally roaring its way across the Tory horizon.

They stopped talking about the secondary labour market, quite properly, because women are in the labour market as much a matter of right and of necessity as men are. They have the same rights with respect to employment, opportunity, advancement, promotion and skill recognition as men do. Yet the patterns of pay in the world of work still do not reflect that reality. The patterns of pay in the world of work represent that archaic point of view which says, quite simply, that there are certain jobs that are for women only.

I will give the minister a very practical example of what I am talking about. A man in his fifties came into my riding. He had been looking for a job for more than a year. He saw an advertisement in an Italian paper for a job at an auto parts factory in north Toronto. He answered the advertisement and went to the office. He was told by the personnel officer in that firm: "I am sorry. We cannot hire you. We cannot even offer you a form." He said, "Why?" The person-

nel officer said: "Well, I am sorry. We are only hiring women for the job. This is women's work that we are hiring people for." I said: "You have got a case for the Human Rights Commission. Go and take it." He has gone and taken it.

The reality of what is happening in our society is a reflection of the world-of-work attitude which says there are women's jobs and there are men's jobs. There are no such things as women's jobs and men's jobs. There are people's jobs. The jobs that women have done in many factories, in many plants, in many offices and in many government services have been consistently underestimated in terms of their importance. The skill attached to those jobs has been consistently underestimated.

I want to suggest that it only makes sense for the government to take the next step. When we debated this last, in 1979, we had the argument from the member for York East and we had the arguments from the Tory side. They basically expressed the view that it was time for further study; we needed to look at it harder and further.

I must say that I am personally sorry that the president of the Ontario Status of Women Council has chosen, in her recent remarks in the past few months, to make similar kinds of arguments. In doing so, she has in herself—perhaps unwittingly; I do not know—contributed to the resistance to progress in terms of equal pay for work of equal value.

I know she has written to the Minister responsible for Women's Issues (Mr. Welch), under the date October 6, 1983. As members will recall, when the members of the Legislature were last able to vote on the principle of equal value in 1979, on Ted Bounsall's private member's bill, members of all three parties joined in a voice vote to pass the bill on second reading.

For reasons that I do not fully understand, she neglected to mention that in terms of the speeches made in the debate, the speeches from the Tory side were consistently opposed to the private member's bill. That somehow does not appear in Miss Barnes's letter to the minister.

I want to suggest that this is one step. I will be presenting a private member's bill in this session to deal not only with the question of equal pay for work of equal value but also with an equally important matter; that, of course, is the matter of affirmative action.

I want to suggest that we need both these things. We need aggressive government leadership in the field of affirmative action. We need some laws that start stating some requirements.

We need some laws that start changing the world of work and start bringing some employers, including the government itself, into the 20th century as far as recognizing the role of women in the work force is concerned.

I want to suggest to the minister, even if it has been said that this may not be the be-all and end-all, that the principle of equal pay for work of equal value is an essential principle, one that we commend in this House. We support the resolution. We wish it were a private member's bill. We want it to be the law of this province and we want it to be the law today.

5:10 p.m.

Hon. Mr. Welch: Mr. Speaker, it seems appropriate that the members of the Legislature should be discussing this particular resolution today. Coincidentally, this happens to be the day we picked some time ago to stage a reception to mark the 20th anniversary of the establishment of the women's bureau in the government of Ontario. When this bureau was created 20 years ago, it was the first provincial bureau of its kind, originally designed to examine, improve and publicize the nature and extent of the needs of the women of this province in the labour force.

Over the years, under the direction, creativity, advice and counsel offered by many officials and friends of the bureau, the women's bureau has provided very sound and current advice and information to this government regarding legislative and program changes deemed to be important to women in areas such as equal pay and sexual harassment and special employment programs. Their counsel has enabled us to work effectively towards the goal of achieving greater equity and a greater degree of fairness for the women of the province.

With the creation of the Ontario women's directorate earlier this year, the women's bureau, as part of that directorate, will continue with renewed vigour and increased enthusiasm to ensure that women have a fair and equitable share in Ontario society. Indeed, as important and as significant as this anniversary is, the determination of this party in government to find workable solutions to remove compensation inequities facing women in the work force goes back even before the creation of the women's bureau.

As some members will recall, it was in 1951, 32 years ago, that the then Minister of Labour, the Honourable Charles Daley, my predecessor as the member for Lincoln in this House, brought forward the Female Employees' Fair

Remuneration Act, the first piece of legislation in Canada dealing with the subject of equal pay. Since that time, and in response to a developing jurisprudence, successive amendments to this legislation have led to the enactment of the present section 33 of the Employment Standards Act, a section that provides substantial protection against discrimination in pay based upon sex.

Through the Ministry of Labour, we are actively pursuing the legislation now on the books to ensure compliance throughout the province. In March 1980, for instance, the Ministry of Labour added a special investigation unit with new resources to conduct equal pay investigations, and this has resulted in equal pay settlements benefiting some 1,800 women in the past three years.

In 1975, the women's bureau introduced an affirmative action consulting service for employers outside the Ontario public service. More than 230 employers now have affirmative action programs which affect more than 300,000 women across this province.

Today I would like to take this opportunity, as part of the discussion in the debate of this resolution, to commend the women's bureau's achievements in working towards ensuring the equal participation of women in the work force of this province.

One can see that, as a result, we have a very long and very honourable track record in working with employers and with women's groups. We must therefore see our continuing commitment to the objective of justice, fairness and equity as an ongoing and developing process. We must continue to move forward until this goal is reached, when we have done everything possible and practical to remove any obstacles that stand in the way.

It is this process of staged progress that has ensured the orderly transition, acceptance and implementation of public policies that have consistently placed Ontario among enlightened jurisdictions in matters of economic justice and social conscience.

The resolution we have before us this afternoon presents a further opportunity for this House to continue the commitment by Ontario to dynamic principles of equal opportunity; principles that reflect achievements gained and present circumstances, not to overlook future objectives. It is with this established pattern of successful, staged progress that we will support this resolution.

An hon. member: When are you bringing in the bill? What's the timing of your stages?

Interjections.

The Acting Speaker: Order.

Hon. Mr. Welch: Once again, consistent with the tried and understood practice of the past, we will move forward by the introduction of additional stages based on sound, workable improvements to be seen, therefore—if I can put it this way—as staged progress to a stated goal.

The intention of this House in supporting this resolution is quite clear. We also know—

Interjections.

The Acting Speaker: Order.

Mr. T. P. Reid: We're bunting when we need a home run.

The Acting Speaker: Honourable members, you will have your opportunity.

Hon. Mr. Welch: I would hope, Mr. Speaker, that members of this House would take this matter very seriously. This is a very serious resolution and I cannot understand the opposition being so frivolous about this matter.

The Acting Speaker: The minister will continue and the interjections will cease.

Hon. Mr. Welch: The intention of this House in supporting the resolution is quite clear. We also know that there happen to be honest differences of opinion with respect to the process of implementation. These problems will have to be addressed as part of the ongoing work to accomplish our goal, and it is to be hoped that there will be ample opportunity for full public discussion on this subject. In the meantime, there are some positive steps that will be taken by this government now, and in this regard my colleague the Minister of Labour (Mr. Ramsay) will introduce certain and specific amendments to the Employment Standards Act.

In closing my remarks, let there be no mistake by this House, the employers of the province or the women of Ontario about this minister's commitment and this government's stated objective of achieving in this jurisdiction equity with respect to compensation in the work place—a work place where ultimately, through aggressive efforts at occupation desegregation, jobs will have no gender.

5:20 p.m.

Mr. Peterson: Mr. Speaker, may I say how very proud I am to participate in this debate, and to commend my colleague the member for Hamilton Centre (Ms. Coppins) for her leadership

in this matter and for one of the finest speeches I have heard in this House in a long time.

Mr. Foulds: Better than any you have given.

Mr. Peterson: Certainly I include my own, but I include that member's as well.

This is an example of outstanding leadership and my colleagues, all the rest of them male, stand four-square behind the honourable member, admire her very much and are proud of the way she has carried this.

But I say also this is not a new position for us. We have felt this way for some time. Periodically these issues come forward and new leadership has to be shown. It is an historic view we have had and we are proud now to have the opportunity to discuss it again in this House.

I was very interested to listen to the Minister responsible for Women's Issues (Mr. Welch) and I say in all candor I have absolutely no idea what he said. I gather he is going to vote for it. I do not know what he is going to do about it.

What is so important today is to devise a method of progress, a specific plan of action. He alluded to some specific amendments that I gather the Minister of Labour (Mr. Ramsay) is going to introduce. I have no idea what they are.

It appeared to me, listening to his words carefully, that he indeed supports the principle, but we have established many long years ago that we support the principle. What we are here today to do is to encourage this government to bring specific action to this program. That is why we are here. I think probably we have reached past even the principle stage and I gather everyone is in favour of it, but the point is we have been in favour of it before and nothing has happened.

I remember other magnificent debates in this House when all the members have reached unanimity of purpose on difficult issues and then nothing happens. When it becomes the responsibility of the executive branch to do something, it lies flat.

This is a clarion call for action. There are people who have followed this debate at great length and who have given a great deal of their time and effort to try to persuade legislators that we have to move. There is sufficient proof in the marketplace, in other provinces, in some companies that have been more progressive than others, and in the federal government that none of the historic arguments against the equal pay for work of equal value concept is valid any more.

I believe we have the proof that the old saws, the old objections, the old clichés that were

stated very well by the leader of the New Democratic Party are no longer valid at this time.

Lest those cynics believe there would be a wholesale revolution in the streets with the introduction of this kind of legislation, I remind the members it will affect five, 10, perhaps 15 per cent of the work force at the very outside. But it would bring justice in real situations.

Where it takes courage is not to agree that a female sweeper deserves the same as a male sweeper, we are all past that; it is going to be in making some tough judgements about work of equal value between categories—that requires judgement, it requires experimentation. We are going to make some mistakes. We are going to need rules and guidelines and people to enforce those things, but we have all those things in place now. We do not need any more bureaucracy than we now have in Ontario to do this.

My colleague has spoken very sensibly about the problems of implementation. We know that each business could have its own development scheme. Let us face it, most big businesses today have their own job evaluation plans anyway. We are not even asking for a quantum leap into something that has not been tested and tried or something that is difficult. We are asking to enshrine in principle a concept, an idea whose time has come, something that is worthy of all our support.

When one looks at the practical aspects of this thing, I do not really believe we are suggesting things that are not tried, that are too dangerous, that are going to cost too much or are subject to any of the other objections.

My friend the minister talked about successful staged programs. I do not know what that means and I frankly do not know what his plans are except to support this resolution in principle. I say very frankly, I have the odd regret about the way this resolution is worded. It is very easy to support it in principle, and if one interpretation is put on it one can wriggle out of bringing action by supporting this amendment.

Very clearly what my colleague is asking for is not just acknowledgement of the principle by way of preamble or statement of principle in the legislation, but specifically to legislate the concept and make it the law of the land. We are not just asking for homage to the principle, for pious speeches or for everyone to get together. We are asking for specific changes in the legislation.

I want there to be no mistake about it, as members read the resolution, that the principle of equal pay for work of equal value be enshrined

in the Employment Standards Act. I believe, as do my other colleagues who have spoken, we have had enough public discussion on this matter. We have had hearings, debates and committee hearings in this House. It has achieved all-party support and those of us who believe in progress are disappointed there has not been more progress.

I am impressed that the government created a women's bureau 20-odd years ago and it is well and good that it is having a party today to celebrate that. But I do not believe that is justification for not moving the whole way on this concept now, unless there are doubters in the government caucus. Thoughtful members want to think about all ramifications of this bill and I respect that. But I repeat, we are not asking for a quantum leap. We are not asking as much as the cynics would say we are.

I do not know how the minister or his colleague the Minister of Labour are going to respond—either tomorrow, the next day or whenever—but we are suggesting in this resolution that we move now, not six months or a year from now. We are suggesting that the concept of equal pay for work of equal value be enshrined in legislation. We have discussed the principle. I hope we will all agree on it today. But we will be looking very carefully at the executive branch and the new minister who has been charged with responsibility for women's issues. That move obviously demonstrates some sensitivity of the government towards these things.

Now the minister is on trial, and not only by his colleagues in the House and his own party. Some 8,500,000 people across this province are looking to him to provide the leadership. He is charged with this responsibility and we will be looking to him. He will have our full support when he moves towards enshrining equal pay for work of equal value once and for all in the legislation.

Ms. Bryden: Mr. Speaker, I too support the principle stated in this bill in favour of equal pay for work of equal value. The shocking wage gap between women and men will not be closed until we have equal pay for work of equal value on the statute books. We need it, along with mandatory legislation for affirmative action and for opening up nontraditional jobs and training courses to women as well.

The gap at the present time is one where women in Ontario on average make 64 per cent of what men make. Even in the Ontario public service, where the government is the employer, women still make only 76 per cent of what men

make, and the figure has changed only minimally in the last year. We have a long way to go before we achieve equality for women in the marketplace.

As my leader pointed out, this will not be the first time this Legislature has supported the principle of equal pay for work of equal value. We did it in 1979, but the bill was allowed to die on the order paper after extensive public hearings at which the majority of briefs were very strongly in favour of the legislation.

5:30 p.m.

I might also point out as a historical fact of interest that when the new spokesman for women's issues in this province was Provincial Secretary for Social Development in 1973, he signed a document entitled, *Equal Opportunity for Women*. In it, he in effect opened the door to the principle of equal value.

He said: "The concept of remuneration on the basis of the value of the work performed rather than the nature of the job itself is being given renewed emphasis. In consideration of this interpretation, the Ontario government proposes to re-examine the appropriate sections of the Employment Standards Act with a view to broadening the concept of equal pay."

We have had 10 years for him to have endorsed the principle in some sense, but we have had no action.

We will come closer to implementing the principle only when we have legislation on the statute books. It is unfortunate we do not have a bill before us today so that the government could be put to the test of whether it would support an equal pay for work of equal value amendment in the Employment Standards Act.

I might remind the minister that I introduced such a bill last June but, unfortunately, the lottery of private members' hour has not afforded me an opportunity to bring that bill before the House. I am glad my leader will be bringing in a bill shortly when his slot comes up, which is even earlier than I will have a slot.

Even if the House endorses this motion today, I am not optimistic we will see anything happen that will bring this principle into effect. I think both the Minister responsible for Women's Issues (Mr. Welch) and Sally Barnes have expressed sufficient grave concerns about implementation matters, an indication they are not ready to do anything more than talk about further study.

We have had lots of studies and we have the example of the federal government which has had an equal pay for work of equal value law in

its Canadian Human Rights Act for five years. They have made some very significant awards under that law. They have learned how to work this kind of legislation.

For instance, under their law, an award of \$17 million was given to about 3,000 food, laundry and general service workers, two thirds of whom were women. When their work, job and wages were compared with other subgroups in the federal civil service, mostly male groups, the criterion applied was a composite of skill, effort, responsibility and working conditions. The jobs were not identical, but they were sufficiently similar in the requirements under those four criteria that a substantial award of back wages was given to 3,000 people.

How can we be told by the minister and the president of the Ontario Status of Women Council that they do not know how it would be implemented and they do not know how it would work, when I understand they have not even been to Ottawa to look at the federal administration of that section of the human rights code.

I would also commend them to examine the administration of the United States equal opportunity law which has been in effect for a good number of years, which has been bringing in awards under their law and which has considered equal pay for work of equal value both for women and minority groups. We do have models and we do not have to retreat to the argument that we do not know how it will work.

It seems to me there is one real hidden argument the government is sold on, and that is, it would cost too much. The people who are telling them it would cost too much are the multinational corporations, the Canadian Organization of Small Business and other supporters of the Conservative Party who are not prepared to put out the extra money that bringing in this kind of equality and ending this discrimination would require.

Sally Barnes said in one of her speeches it would cost the provincial government a considerable amount to bring in a pilot project in the public service. It looks like she is still supporting the principle that we cannot afford it at this time.

I think the people who are trying to overcome the economic recession should be aware that to bring in equal pay at this time would be the right medicine. It would be a shot in the arm for our ailing economy. It would be a great increase in purchasing power, because all those underpaid

women would probably spend all the money they get in awards.

That is exactly what the economists are saying we need. They are talking about a tax cut as a proposal. Instead of a tax cut for the well-to-do, I say let us give equal pay for work of equal value to hundreds of thousands of women.

I am a little concerned that this appears to be a very late conversion by the Liberal Party. Perhaps they are doing the same thing Sally Barnes was doing—they are looking over their shoulder and seeing an election coming.

Sally Barnes, as we know, has recently written to the minister suggesting the Minister responsible for Women's Issues—

Interjections.

The Deputy Speaker: Order.

Ms. Bryden: The Liberal women's perspective advisory committee, from whom I have received notices of meetings and objectives, has not yet mentioned equal pay for work of equal value in any of the notices I have seen. We have yet to see whether they are prepared to push ahead and support my bill of implementation.

The Conservative position cannot be called a conversion in any sense of the word. They have really opposed this concept from the very beginning. As my leader pointed out, we do not know how many Conservatives supported the voice vote in 1979.

But the Minister of Labour (Mr. Ramsay), in March 1982, said it was impractical and unenforceable. Then in August 1982 he said he supported the principle but the government could not afford it at that time. He has continued to take that position, and the Minister responsible for Women's Issues just last Tuesday in the House refused to answer a question as to whether he supported the principle and said he was still studying the question.

The Deputy Speaker: The member's time has elapsed.

Hon. Miss Stephenson: Mr. Speaker, the issue of equality for women is clearly complex. It is an issue that demands public awareness and a great deal of understanding if it is to be effectively resolved.

Only a generation ago, a young woman was expected to marry, raise children and remain in the home. Very few occupations were open then to the erroneously called "weaker sex," and then only if the woman was single. It was only when they were in desperate financial straits that married women usually worked outside the home. The result was that women of

intelligence and talent were prevented from living up to their full potential.

Those old days, unfortunately, have not entirely passed into history. Many women still have to struggle for employment opportunities that many men take as their right. None the less, social and economic structures have changed dramatically over the last two decades and a major change has been the large number of women entering the work force.

The proportion of women to men in the work force has almost doubled since 1950. Today they constitute almost 44 per cent of our total labour force. This influx has transformed the nature of the economy and the structure of our social institutions.

5:40 p.m.

The dimensions of these changes are certainly predicted to increase. Statistics show that the percentage of women enrolled in post-secondary educational institutions continues to increase at a very rapid pace. In 1961 the full-time enrolment in Ontario universities consisted of approximately 75 per cent males and 25 per cent females. In 1971 females had closed the gap to one third of the total and in 1980 almost one half of full-time university students were female.

That is important because it is on the basis of this increased higher educational level of female students and graduates that women will increase their overall wages in this society. There is no doubt that one of the factors in the wage gap that has been traditionally in place has been the traditional attitudes about and expectations of women, which have resulted in lower qualifications and, therefore, lower wages. This accounts for a significant part of the wage disparity and is a particular concern of mine. There is discrimination at the work place, and our Minister responsible for Women's Issues has elaborated the ways in which the government will commit itself to resolving those.

Mr. Speaker, since I am apparently unable to complete this, I shall ensure that my remarks are printed for distribution.

Ms. Copps: Mr. Speaker, first of all, I really appreciate the support that has been given this issue by my colleagues on all sides of the House. I am, as my leader has already stated, somewhat confused by the response of the government in that again it appears from the response of the Minister responsible for Women's Issues that the principle of enshrinement is supported but that there is a discussion of staged progress.

One of the things I would like to make very clear is that, in my understanding and in the understanding of the members of my party, support for the resolution as it has been tendered here in the Legislature indicates, and certainly the expectations on our side will be, that there will be legislation to enshrine the principle of equal pay for work of equal value during this session of the Legislature. I think the proposed amendments to the Employment Standards Act that were referred to by the Minister responsible for Women's Issues today and that have been discussed by his colleague the Minister of Labour in past weeks would merely apply cosmetic changes to existing equal pay for equal work legislation and are simply not sufficient.

When we talk about equal pay for equal work legislation, which has been enshrined in this province since 1951, which has been enshrined, indeed as I said earlier, since before I was born, it is clear that this legislation in and of itself is not sufficient and is not working to close the wage gap.

I was very happy to hear the Minister of Education and Minister of Colleges and Universities (Miss Stephenson) comment on other areas of change where this government can show some leadership. Certainly the area of education is an important and a critical area and the area of affirmative action is an important and a critical area.

But it is imperative that this Legislature realize that what all members are supporting here today is not merely the principle but the action, the legislation, the law of equal pay for work of equal value. If all of us on all sides of the House support the resolution, as I anticipate when we have a recorded vote, members can rest assured that all of us on this side of the House will be pressing very hard for that very legislation within this session.

It was ironic that the minister commented in his earlier remarks about the party today to celebrate the 20 years of the women's bureau in this province. I cannot comment on the leadership the government showed in that area. I can comment that the Ontario government, with the institution of the Ontario Human Rights Code, did show leadership in that area and I can comment that the women's bureau has made an effective and viable contribution in many areas to employment standards for people within the Ontario Legislature and in other employment places. But I can also comment with respect to the fact that, unless we enshrine action with this resolution, we will remain in the political wil-

derness when it comes to the issue of equal pay for work of equal value.

I am glad that my colleague the member for Lake Nipigon (Mr. Stokes) did mention the issue of the bill. As a matter of fact, it was my point quite clearly to enshrine this in the form of a resolution so that it would be effective, clear and simple for all members of this Legislature, one, to understand what it is that they are supporting and, two, to be prepared to call upon the government to bring in a bill to enshrine the principle of equal pay for work of equal value.

With respect to the Ontario women's directorate and the women's bureau, who can argue but that these all have a viable contribution to make? Yet it seems to me that if one is talking about staged progress, one is talking about a government that back in 1972 in the International Labour Organization convention 100 said and signed and put its John Henry to the support of equal pay for work of equal value in principle. More than a decade has passed since that time; surely it is time now for all members on all sides of the House to stand up and be counted on this issue.

I want to make it clear for both the Minister of Labour and the Minister responsible for Women's Issues that mere smoky mirrors on present equal pay legislation will not be enough. There are men and women across this province who will be watching them for leadership, who will be looking to them in this session of the Legislature to bring in the promised law regarding equal pay for work of equal value. If they choose to introduce a mere tinkering with the present legislation, if they choose not to enshrine the concept of equal value legislation, then I must say all of the discussion today and all of the discussion that has preceded the debate today will have gone for naught.

I for one believe that there is the political will on all sides of the House to resolve this issue. I for one am convinced that every fair-minded citizen in Ontario supports the concept that people should be paid equally for work of equal value. I am also convinced that the Minister of Labour, in his good offices, will bring in legislation in this session to make sure that that principle and that concept become a reality.

The time has passed to talk about staged progress. The time has passed for the kind of petty partisan comments that were made by some members of the New Democratic Party. If the member for Beaches-Woodbine (Ms. Bryden) is really interested in what the Liberal Party is doing on the issue of employment, she can come

to the conference that we will be holding on December 3 to discuss the issue.

It is clear and has been clear for a number of years that all members in all parties on all sides of the House support the principle of equal pay for work of equal value. What is at stake today is not the principle; it is the action; it is the legislation. Every member who stands when we call for a recorded vote, every member who stands to support this resolution, will be saying for all of Ontario to see that we support not only the principle of equal pay for work of equal value, but we support the law and we expect that we will be able to deliver a Christmas present to the people of Ontario in the form of legislation enshrining the concept of equal pay for work of equal value into the Employment Standards Act.

Without that principle, without that legislation, this discussion will have been a sham, our acceptance of the symbolic significance of the principle will have been a sham, and the people of Ontario will have been defrauded by a government that is not prepared to stand firm on, for and about its principles.

We go beyond principles here today. I want all members to realize that if they do rise in support of this legislation, it is to support not only the principle, but the legal enshrinement in the legislation into the Employment Standards Act of equal pay for work of equal value. All members on all sides of the House have made the distinction clearly; even all of those people who chose to participate in the full debate are clearly cognizant of the issue that is at stake here today.

I want to join with my colleagues on all sides of the House in congratulating the members for treating this in a nonpartisan manner and in urging the government of Ontario to bring in legislation in this session which will make this resolution law in Ontario.

5:50 p.m.

SAFETY BYLAWS

The Deputy Speaker: Mr. Mitchell has moved resolution 15.

Motion agreed to.

EQUAL PAY FOR WORK OF EQUAL VALUE

The House divided on Ms. Copps motion of resolution 16, which was agreed to on the following vote:

Ayes

Allen, Ashe, Baetz, Barlow, Bennett, Birch, Boudria, Bradley, Breaugh, Breithaupt, Bryden, Charlton, Conway, Copps, Cousens, Cunningham, Cureatz, Dean, Eakins, Eaton, Elgie, Elston, Epp, Fish, Foulds, Gillies, Gordon, Grande, Gregory, Grossman, Haggerty, Harris, Johnson, J. M., Johnston, R. F.;

Kells, Kerrio, Lane, Leluk, Lupusella, MacKenzie, Mancini, McCaffrey, McCague, McClellan, McGuigan, McNeil, Miller, G. I., Mitchell, Newman, Nixon, O'Neil, Peterson, Philip, Piché, Pollock, Rae, Ramsay, Reed, J. A., Reid, T. P., Renwick, Robinson, Rotenberg, Roy, Ruprecht, Ruston;

Scrivener, Sheppard, Shymko, Spensieri, Stephenson, Swart, Taylor, G. W., Treleaven, Van Horne, Walker, Watson, Welch, Wells, Williams, Worton, Wrye, Yakabuski.

Ayes 82; nays 0.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, just before adjourning for supper, I wonder if I could indicate the business of the House for the remainder of this week and next.

Tonight we will debate the interim supply motion standing in the name of the Treasurer (Mr. Grossman). On Friday we will begin the estimates of the Ministry of Intergovernmental Affairs. On Monday afternoon, if necessary, we will continue the debate on the interim supply motion of the Treasurer.

On Tuesday, October 25, in the afternoon, we will begin with private bills on the order paper, do second reading of Bill 68, and second reading and committee of the whole of Bill 86 and Bill 87. On Tuesday evening we will continue the estimates of the Ministry of Intergovernmental Affairs.

On Wednesday, October 26 the usual three committees will have permission to sit in the morning. In the afternoon of Thursday, October 27, during private members' public business, Mr. Ruprecht's and Mr. Mancini's resolutions or bills will be considered. Next Thursday evening we will debate the motion for adoption of the final report, 1981, of the select committee on pensions. On Friday, October 28, we will deal with the estimates of the Ministry of Intergovernmental Affairs.

The House recessed at 6:02 p.m.

CONTENTS

Thursday, October 20, 1983

Statements by the ministry

Timbrell, Hon. D. R., Minister of Agriculture and Food:

Agricultural programs. 2247

Wells, Hon. T. L., Minister of Intergovernmental Affairs/Acting Minister of Health:

Health disciplines legislation. 2248

Oral questions

Andrewes, Hon. P. W., Minister of Energy:

Hydro rates, Mr. Peterson, Mr. Rae. 2249

Davis, Hon. W. G., Premier:

Inflation restraint practices, Mr. Conway, Mr. Samis. 2255

Extra billing, Mr. Cooke, Ms. Coppins. 2256

Arena-trade centre, Mr. Mackenzie, Mr. Cunningham. 2258

Ottawa convention centre, Mr. Roy. 2259

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Propane conversion, Mr. Boudria. 2257

Pope, Hon. A. W., Minister of Natural Resources:

Forest resources information, Mr. Rae, Mr. J. A. Reed. 2252

Ramsay, Hon. R. H., Minister of Labour:

MacMillan-Bathurst closure, Mr. Peterson, Mr. Mackenzie. 2250

Video display terminals, Mr. R. F. Johnston. 2260

Wells, Hon. T. L., Minister of Intergovernmental Affairs/Acting Minister of Health:

Hawkesbury Hospital management, Mr. Rae, Ms. Coppins. 2254

Petitions

Inflation restraint legislation, Mr. J. A. Reed, Mr. T. P. Reid, Mr. Philip, Mr. Breithaupt, Mr. Conway, Mr. Lupusella, Mr. Newman, Mr. Riddell, Mr. Samis, Mr. Eakins, Mr. Bradley, Mr. Swart, Mr. G. I. Miller, Mr. Elston, tabled. 2261

Hunting regulations, Mr. Wildman, tabled. 2263

Reports

Standing committee on social development, Mr. Robinson, tabled. 2263

Standing committee on general government, Mr. McLean, tabled. 2263

Standing committee on regulations and other statutory instruments, Mr. Kerr, agreed to . . . 2263

Motions

Committee sittings, Mr. Wells, agreed to. 2264

First readings

Health Disciplines Amendment Act, Bill 92, Mr. Wells, agreed to. 2264

Family Law Reform Amendment Act, Bill 93, Mr. McMurtry, agreed to. 2264

Charities Accounting Amendment Act, Bill 94, Mr. McMurtry, agreed to. 2264

Public Vehicles Amendment Act, Bill 95, Mr. Snow, agreed to. 2264

Highway Traffic Amendment Act, Bill 96, Mr. Snow, agreed to. 2265

Private members' public business

Safety bylaws , resolution 15, Mr. Mitchell, Mr. Epp, Mr. Philip, Mr. Kolyn, Mr. Boudria, Mr. Breagh, Mr. Williams, agreed to.	2266
Equal payment for work of equal value , resolution 16, Ms. Copps, Mr. Rae, Mr. Welch, Mr. Peterson, Ms. Bryden, Miss Stephenson, agreed to.	2276

Other business

Absence of minister , Mr. Nixon, Mr. Davis.	2260
Rural representation , Mr. Wildman.	2261
Business of the House , Mr. Wells.	2286
Recess	2286

SPEAKERS IN THIS ISSUE

- Andrewes, Hon. P. W., Minister of Energy (Lincoln PC)
 Boudria, D. (Prescott-Russell L)
 Bradley, J. J. (St. Catharines L)
 Breagh, M. J. (Oshawa NDP)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Conway, S. G. (Renfrew North L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Coppins, S. M. (Hamilton Centre L)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
 Cunningham, E. G. (Wentworth North L)
 Davis, Hon. W. G., Premier (Brampton PC)
 Eakins, J. F. (Victoria-Haliburton L)
 Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
 Elston, M. J. (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Foulds, J. F. (Port Arthur NDP)
 Gregory, Hon. M. E. C., Minister of Revenue (Mississauga East PC)
 Johnston, R. F. (Scarborough West NDP)
 Jones, T., Deputy Speaker and Chairman (Mississauga North PC)
 Kolin, A. (Lakeshore PC)
 Lupusella, A. (Dovercourt NDP)
 Mackenzie, R. W. (Hamilton East NDP)
 MacQuarrie, R. W. (Carleton East PC)
 McMurtry, Hon. R. R., Attorney General (Eglinton PC)
 Miller, G. I. (Haldimand-Norfolk L)
 Mitchell, R. C. (Carleton PC)
 Newman, B. (Windsor-Walkerville L)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Peterson, D. R. (London Centre L)
 Philip, E. T. (Etobicoke NDP)
 Pope, Hon. A. W., Minister of Natural Resources (Cochrane South PC)
 Rae, R. K. (York South NDP)
 Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
 Reed, J. A. (Halton-Burlington L)
 Reid, T. P. (Rainy River L-Lab.)
 Riddell, J. K. (Huron-Middlesex L)
 Roy, A. J. (Ottawa East L)
 Samis, G. R. (Cornwall NDP)
 Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
 Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities
 (York Mills PC)
 Swart, M. L. (Welland-Thorold NDP)
 Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Welch, Hon. R. S., Deputy Premier, Minister responsible for Women's Issues and Minister of
 Energy (Brock PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
 Wildman, B. (Algoma NDP)
 Williams, J. R. (Orillia PC)



No. 63

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Thursday, October 20, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 20, 1983

The House resumed at 8 p.m.

INTERIM SUPPLY

Hon. Mr. Grossman moved, seconded by Hon. Mr. Eaton, resolution 13:

That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing November 1, 1983, and ending December 31, 1983, such payments to be charged to the proper appropriation following the voting of Supply.

Mr. Nixon: Mr. Speaker, I thought the Treasurer (Mr. Grossman) might have taken this occasion to make a statement on the economy of the province, or on his projections for the future of the budget or on whatever subject would be associated with this matter. This is the first occasion when he has formally had the carriage of a matter pertaining to the Treasury of the province.

Since it is the first occasion, I want to express my congratulations to the Treasurer. In the dying months of the Conservative administration, I do not know of anyone I would sooner have in that job. Along with others on this side, I have watched him move from ministry to ministry, and I personally always enjoy his work in the Legislature. He has been known to be a bit unkind on occasion, even un-Christian, but I do not want to go too far.

I know for a fact that if you are exposed to the Treasurer when he wants either to defend himself or to attack mercilessly, he is quite capable of doing that. I also feel that his ability to take the initiative in matters under his jurisdiction in previous ministries reminds me of a previous Minister of Economics, the Honourable Bob Macaulay, who is still extant and very active in government circles.

When I was first elected, I recall the then minister used to be called, in a pejorative sense, minister of all departments, because whenever a minister got up to say something about some new initiative he was taking, he would have to give second place to Mr. Macaulay, who it turned out had the initiative in cabinet and all the background economically associated with it.

I would have thought that some of his colleagues would have found that annoying, but he did it with a lot of panache, as we call it in South Dumfries, and with a good deal of factual knowledge with which he could at least attempt to overcome critics and he carried it off rather well.

I would predict that this new Treasurer might follow in those footsteps. There is some indication that from time to time he is going to enter into the headlines of the provincial press by expressing his view of the economy, the emerging economy, the improving economy, from the standpoint of a government spokesman. But we will watch that with a great deal of interest.

One thing Macaulay used to do the day before the budget, or perhaps a few days before, was to give a major overview of the economy and the prospects of the province. That used to upstage the Treasurer to some extent, but I believe it was quite valuable and certainly would lie within the purview of the minister.

What I do intend to do in these few remarks is to begin by congratulating the new Treasurer. We expect great things of him. I would tell him in this debate, which might not be concluded this evening, that I would hope he would take the opportunity when he chooses to respond to give us a rather fuller view of what we may expect in the winter months before we are treated to another budget, some time in March or whenever, because there is no doubt the problems that have besieged the provincial economy are not going away as rapidly as some of the minister's Ottawa colleagues would expect.

I heard the Honourable Mr. LaLonde indicating publicly that since he became Minister of Finance, there has been a tremendous lightening of economic pressures, that the inflation rate has been reduced substantially and that unemployment levels are somewhat reduced to something between 10 and 12 per cent, depending on which averages one is looking at.

There is no doubt about it, the initiatives taken by the government of Canada have had a tremendously valuable effect. Even two years ago, they established as a basis for the controlling of inflation the reduction first to six per cent and then to five per cent. They are right on

target, as members should be aware.

I feel this House ought to pass a motion congratulating them, not only for having the perspicacity to see into the future but also for having the will and the political initiative to take the kind of leadership that is improving the economy of Ontario in spite of the tremendous, additional albatrosses that are weighing us down. As a matter of fact, I can count 29 of them, although they are not all in their seats this evening.

We should recall that the Treasurer, in administering the budget of Ontario, is responsible for the spending of about \$60 million a day. That is a rather conservative estimate. In fact, we are spending money at a greater rate than that.

I find it is helpful in assisting my constituents and anyone else who will listen to understand the breadth and strength of the provincial budget, to point out that we are spending between \$18 million and \$19 million a day on health services and just a little bit less than that on education if one counts the all-in provisions for education, including elementary and secondary, public and separate and the moneys raised by local school boards. In fact, the total for education is right up there with the expenditure for health.

In my view, we have a tremendous responsibility, even for interim supply, not to allow the expenditures to go through on the nod, as they say in Westminster. It has been brought to my attention by no less a person than the Clerk himself, who I notice left his chair when he saw me rise to participate in this debate, that there were many occasions in the past when interim supply was not considered to be a vehicle for any extensive debate. I certainly do not intend to make it such a vehicle tonight, but I would say that, particularly when we approach a winter of the kinds of economic problems that are certainly in the offing for us, we would be remiss in our duty if we did not give what advice we could to the Treasurer and his colleagues for the remaining period in this particular budget year.

The unemployment statistics are very little better than they were a year ago. There seems to be some lightening, but once again that depends on one's community. We saw the headlines in the Toronto provincial press two or three days ago that Massey-Ferguson, with employees in Brantford and in Toronto, was laying everybody off for a seven-week period and hoping that farm prosperity would be buoyant enough to warrant the rehiring of at least a part of that work force early in 1984. There is nothing

definite or sure about that, because farm prosperity is something that has been something less than heartening in recent months.

8:10 p.m.

The Speaker would be aware, and certainly the Treasurer would, that farm prices so far as grains are concerned have been considerably more buoyant this harvesting season. A year ago, soybeans were selling for around just \$6 a bushel and this year they are going at considerably more than \$10 a bushel.

The government officials were advising all the intelligent and progressive farmers to be sure to sell their crop in advance so they would be able to hedge the possibility of any changes in the price. Following the government's advice, some of us more progressive farmers sold our crop in advance for something less than the price it would command now. I should have known never to follow the advice of this administration or any of its agencies, but some of us are perhaps getting smart a bit too old. Next year I will not make that mistake again, but there is no accounting.

Hon. Mr. Snow: Nixon now. Nixon now.

Mr. Nixon: As a matter of fact, the farming business, as the Minister of Transportation and Communications (Mr. Snow) knows, is very much a gamble. I think that is why he got out of it and into the construction business, where one can always count on the government paying its bills.

The situation in Brantford, which is probably as bad in as any community in the province, has been aggravated by the continuing problems with the White Farm Equipment company, about which I had been hoping to have a report from the ministry over the past few days. As we know, the Minister of Industry and Trade (Mr. F. S. Miller) is travelling the Pacific Rim. I have a feeling he may be relaxing in the naval—

Hon. Mr. Grossman: He's back.

Mr. Nixon: Oh, he is back? We will look forward to having a report from the minister, perhaps tomorrow morning, because I can assure the House that the community of Brantford and Brant county is concerned. I have no apology to make for bringing that up in this debate, because there are 1,000 working people involved in this who have been laid off for a year to 18 months and many of them—I suppose all of them—have personal and family responsibilities.

If one wants to see a situation of hard times, one need only go to the Brantford and Brant

county area and talk to the laid-off farm workers. They have not had permanent employment for more than two years. While we are hoping the decisions of the receivers associated with White Farm Equipment will be such that some employment will be maintained, there still are no assurances of anything associated with that. One of the problems certainly has to do with the educational system associated with employment, and I may return to that a bit later in my remarks.

However, I want to say something quite specific about the minister and the ministry, because in recent days we have been treated to some specific details of the revenue that comes into the consolidated revenue fund from the sale of alcoholic liquors in the province. I do not intend to dwell on that. Not being a teetotaler myself, I have no objection whatsoever to people making certain purchases as I know some of my good friends on the other side have already done this evening.

Mr. Kolyn: Like some of your own colleagues.

Mr. Shymko: I've got the only dry riding.

Mr. Nixon: What happened to my friend tonight? He must have been travelling.

Mr. Foulds: One for Nixon, zero for Shymko.

Mr. Speaker: Order.

Mr. Nixon: I think we should be aware that the Treasurer, in one of his several previous incarnations, has expressed a deep and commendable concern, not for the profits the province makes out of the liquor business but for the effects on the community as a whole.

I want to quote something the Treasurer said March 30, 1978. He was barely old enough to vote then, although he was a member of the Legislature. This was by way of a statement by the ministry to the House on alcohol advertising. Even then the minister was prolix, and in that connection I will not read all of his statement.

Interjections.

Mr. Nixon: It is legal. Let me say that.

He said in part in reference to liquor advertising, "All such advertisements shall be directed towards and emphasize the nature and quality of the product being advertised, and shall not imply that social acceptance, personal success, business or athletic achievement may result from the use of the product being advertised."

Does the minister remember that? He went on to say:

"Advertisements must not suggest that the consumption of alcoholic beverages per se may

be a significant factor in the realization of the enjoyment of any activity. Advertisements must not suggest that participants in work, sports, hobby, recreation and other similar activities should consume alcoholic beverages while engaging in their work or other activity. Nor may advertising suggest that consumption of alcohol in any way enhances performance or enjoyment of these activities."

I, not being as politically upwardly mobile as the Treasurer, have perhaps a few more minutes at my disposal to watch television. I watch the occasional ball game, the occasional hockey game. Actually, with the quality of the sports I see, the beer ads are sometimes the best entertainment on the TV. Mr. Speaker, you may see them from time to time. I have a magic button on the little console that allows me to change channels and watch three or four games at once, or maybe a movie and an interview of the Treasurer plus a hockey game; so I get to see a lot of those ads.

The idea of the beer advertising in this province now not accelerating the use of beer is really preposterous. Every kind of physical activity—and I mean every kind—is seen to be more enjoyable if at the end of it, if not before it, one participates with a foaming glass of brew that comes from one of the companies that supports the Treasurer's administration and no doubt supports the Treasurer as well.

That is another matter. When one sees how much money the Treasurer has in his leadership campaign kitty, there is no doubt that every brewer, if not in the country, on the continent, has taken part just on the off chance that some time in the future they want to call in their markers.

Hon. Mr. Grossman: It's like selling your crop early.

Mr. Nixon: Yes, except that the Treasurer cannot lose. He has the money in the bank, or in the sock; I do not know.

Certainly the sentiments expressed by the Treasurer so many years ago when he was controlling beer advertising were commendable. The House broke into applause. I had spoken about this before and I thought: "Well, that is the end of that issue. We are finally going to bring some order to a problem that has plagued this province for a long time."

The idea that those beer ads do not promote the sale of beer to young people is just preposterous. The argument is put by the minister and his friends that it does not increase the sale; it just means there is competition among brands. I

certainly reject that out of hand, because we know there are more beer ads than anything else, and they must surely teach the value of having a good cold beer just after you get out of the balloon or climb down off the water skis or off those fantastic sailboards or whatever they are and before you start the other activity of the evening, which is obviously well laid on.

There is no way whatsoever that the aim of this whole thing is not simply to increase the revenues of the beer companies. This does not hurt the Treasurer very much, because he shares in those revenues, which he is taking in as the Treasurer. The Minister of Revenue (Mr. Gregory), his factotum, takes in something like \$700 million in markup profits alone. He is gesturing \$500 million to me, but when you add that to the sales tax he plasters right on the top, we are getting up to the \$700-million range.

As I say, it is a difficult thing for a person who wants to talk on this subject to draw the line. I am not saying that people should not drink; I am simply saying that we as a Legislature should beware of leading young people into this sort of thing so that they really cannot make up their own minds at all.

The quality of those ads is par excellence. I have not even seen Tory television ads in the last election campaign that could measure up to them.

Interjections.

8:20 p.m.

Mr. Nixon: I wanted to insult the Tory members and obviously now I have done it. They have the Premier's jingle about, "Let's keep the promise." Obviously the same person who writes the "Let's keep the promise" jingle writes the other one, "Let's cut out, let's get out of here, let us go and hoist a few, let's get the boys around."

Actually, I think the beer songs are better than the Davis songs, but they are all in the same bag.

The lessons that come from those ads are really appalling.

Interjections.

Mr. Speaker: Order. The member for Brant-Oxford-Norfolk has the floor.

Mr. Nixon: For one thing, there is not only the problem that I have spoken about—that these young people are, through peer pressure and advertising pressure, really being led into becoming little revenue producers for the Treasurer (Mr. Grossman)—there are other lessons in those ads that are really appalling. Have mem-

bers noticed it is always the men who are the fast sailors and the highest flyers in the balloon? They have all those weird machines they are zooming around the lake on. They come to shore, they walk up and there are the dainty little ladies, all with their beers on the trays, ready to serve them with a capital S.

We had a great debate this afternoon about women's rights. I cannot understand why women's organizations do not raise the devil about those beer ads. I really think they are absolutely appalling.

There is another aspect to the lesson of the ad. I will tell all the young people—I consider myself young, Mr. Speaker, you and I—are pretty impressionable. One of the lessons in the Treasurer's beer ads is always: "Ain't work terrible? We are cutting out. We have done it for the weekend."

There is one out at Malton airport where the guy is waving the big plane in and working very hard. He says, "Cutting out," and closes shop and hops on his motorcycle. The sooner he can get away from work the better. Obviously he has been working double or triple time, there is no doubt about that. But then he is going to do what he really wants to do. The concept is that any work one has stinks and the only thing worth doing is hoisting some cold brews with the boys.

There is another lesson that perhaps we ought to go into and it is one that concerns me a little bit. From time to time I tune in to Buffalo. It also has a lot of beer ads and they are very good too. Some of them tend to be funny. Actually, some Canadian ones make a little nod in that direction but one sees them so often that even the pathetic jokes drive one crazy after a while.

The ones in the states sort of glorify working. The guys are working hard, and after they have worked hard they have earned a few beers.

Mr. Haggerty: "It's Miller time."

Mr. Nixon: Exactly, the Miller time ones are marvellous. Of course, their beer is what per cent? Four per cent?

Mr. Foulds: No, 2.5 per cent.

Mr. Nixon: Is it only 2.5 per cent? One notices in the Miller advertisements here that while they are cutting around the little ladies carrying the beer it hits on the label and the only thing you read on the label is five per cent alcohol, so one knows one is getting good old Miller but it has good old Canadian content. So one is getting it both ways.

It seems to me the American ads have a different kind of lesson. For one thing the jokes

are funny, but also the people who are working are really working and they are not considering that the worst thing in the world they have to do.

I think it is time for the Treasurer, as minister of all departments, the person who gets to spend the money, to express some concern about what has happened to the policy that he himself enunciated in this House. As far as I know, it has not changed.

Mr. Kolyin: What year was that?

Mr. Nixon: It was not that long ago. It was in 1978. You must remember that. You were only in grade 12. You were just starting.

Mr. Speaker, you may think times have changed. If they have, they have not improved, because the other example that I think we should talk about leads directly into the consolidated revenue fund also, and that is crazy Miss Penelope and that wacko grocer she buys her Wintario tickets from.

Once we let a Sunday school teacher from Brampton take over the government there is no end to it. I walked into the Legislature today and there were wheels of fortune all ticking away down there. I suppose the Treasurer comes in by a private entrance. His limousine slides into some secret hidey-hole and he comes by tunnel across here to take part in question period.

It was in a good cause. They are raising money for something useful and that is okay, so I will not talk about money changers in the temple and all that stuff. I will let that part of my speech go. But when we look at the efforts that were begun by the Deputy Premier himself to get people to buy lottery tickets, we wonder—well, this is a Tory phrase—where will it all end? I try to keep myself from asking that question because even this government is not going to put an end to the province.

I look at Miss Penelope—who has to be a senior secretary in the Deputy Premier's office who has been seconded for this purpose—and I will tell you, that old grocer is an evil man. He is pushing those tickets—God only knows what he has under the counter that he is pushing along with it. I have a feeling—

Mr. Ruston: Careful now. Careful.

Mr. Nixon: Actually, if you listen to him, he giggles before he says anything. The next time you see the ad, Mr. Speaker—you need only go out into the lounge on the Liberal side and turn on our large television console, it is right here—you will find that you will be able to see Miss Penelope and the grocer and he does a lot of funny giggling.

Actually they found that these ads were not as productive as they should be. People thought, "We do not care if Miss Penelope wins or not. When she wins, what she wins is a free ticket." Have you noticed that? A free ticket. Big deal. Big deal) But they have introduced sexual tension into these ads. Have you noticed? The last time, here is Miss Penelope with this weirdo niece who is buying dark glasses just behind her, and obviously she is getting a little desperate because over in the corner is the grocer's nephew with a broom. There they are, and immediately you can think of the genius down at Foster Advertising, or Hugh Segal, who is now working for a living, thinking of what he can do to sell more of these tickets. So now he has put sex in these ads.

It concerns me. I really believe the Treasurer has a responsibility in all of this stuff—not to restore morality because I am not sure that is what we are really aiming for—but for just a little common sense.

We have huge revenues coming in here. We are spending \$60 million a day and I just do not believe that we have to put up with so much of this bad stuff; stuff that we as members of the Legislature should be objecting to and frankly I am objecting to it.

Hon. Mr. Grossman: You talked about alcohol; now tobacco.

Mr. Nixon: Exactly. That is my next item. I can recall when the Treasurer's predecessor brought his budgetary provisions in last March that there was the usual increase in the tobacco tax and I can remember well speaking on that bill, along with a number of my colleagues, and opposing it.

The increase in the tobacco tax—because it was made an ad valorem tax and pasted right on top of it was the old sales tax of an additional seven per cent—really meant an overall increase of about 50 per cent in one year after the large increases in previous years. There was no response from the government at all, other than the feeling from the Minister of Revenue (Mr. Gregory) that people expect tobacco and liquor taxes to go up and yes, we have done it again.

This was a huge increase indeed, and the tobacco industry is the biggest farm industry in the province, by a considerable amount, that is returning dollars to the producers and to the economy. Since the tax was imposed, they have found that their revenues have gone down.

8:30 p.m.

There are politicians who are prepared to say publicly that is a good thing. There is a very fine lady in Ottawa who, from time to time, says we ought to triple the tobacco tax because people are dying from the use of cigarettes. The lady is the Honourable Monique Bégin, the Minister of Health, who sticks with her responsibilities. She does not jump from portfolio to portfolio just when things get tough, the way some ministers do.

She was expressing an opinion as the Minister of Health, but it is the Treasurer of Ontario who imposed a 52 per cent increase in the tobacco tax in this province. I go down and talk to the tobacco marketing board people. They complain about Monique—they used to complain about Judy and they used to complain about John Munro—because the Minister of Health for Canada had expressed the view that governments had a responsibility vis-à-vis the tobacco business. All right, that is fine.

However, the thing that is really damaging the tobacco business—I am not criticizing them; why should I?—is the ad valorem tax that has been dreamed up by this government and which sailed through the House without a single objection from the Conservative side. We now find that it is having an extremely detrimental effect.

I know that the tobacco board has approached the Treasurer with the very best and latest research to indicate that there ought to be some sort of a withdrawal in that connection. I do not know what is in his mind, but when we asked him in the House about it the other day, he would not give us the assurance that the taxes would not continue to increase.

It is interesting to note that from tobacco revenue alone he gets about \$500 million, I believe. I have the book here. It is a substantial amount of money, because one gets sales tax on it as well. It is interesting to compare that with the total amount of money that we spend on our—

Interjection.

Mr. Nixon: Five hundred million dollars, the Treasurer now assures me. That is close enough. It is far more than we spend on all of our agricultural programs in this province.

My colleague the member for Huron-Middlesex (Mr. Riddell) proposed that we have a special debate on beef farming problems earlier this week. This was not permitted, Mr. Speaker, by yourself because you considered that it was not an emergency. You realize that, while we contested that, the majority of the members of the House agreed with you. I am not here to argue

about that now, other than to say there are tremendous pressures on all farmers, but particularly the beef farmers, at this time.

The way that this province has fallen so far behind the other provinces in programs designed to support these farmers is really unacceptable. When one thinks of the tobacco tax alone, that the government is getting \$500 million and it is spending just a little more than half that on all of the farm program, it really means its priorities are screwed up.

It may be that the Minister of Agriculture and Food (Mr. Timbrell) does not have the kind of clout in the cabinet that his immediate predecessor had. There is reason to believe that he does not, that there is a tendency for the Treasurer and others to put him down and not allow him to come forward with the kinds of programs that the farmers need.

I am just telling the members what my constituents tell me. It is not my job to say they are wrong. It seems to me that the Minister of Agriculture and Food has not taken the kind of initiatives that we might have expected from an upwardly mobile young politician who had his sights set on the stars. There are those who believe that his personal agenda has interfered with the sorts of programs that the farmers should have.

There has to be a somebody in the inner council of the cabinet. I do not know who that is. The Premier is away a lot of the time. The Deputy Premier is totally involved with women's issues. The Treasurer is just now finding his balance and trying to get his campaign chairman well established in something lucrative in these areas, so that he will have enough time to do some really important work.

Hon. Mr. Grossman: Not a word of it.

Mr. Nixon: All of this is true. It is hard to tell who really is running the store. I have a lot of confidence in the Minister of Transportation and Communications (Mr. Snow), who is always here when he can be, paying close attention. He is doing nice things in the constituency of Brant-Oxford-Norfolk. I do not crow about it too much because I do not want the Tories to get ambivalent about the money spent on roads in Brant-Oxford-Norfolk. It is difficult to know in this whole mob of 29 cabinet ministers, 28 or whatever, and 28 parliamentary assistants, who really is the nucleus of the group making the government decisions.

Hon. Mr. Grossman: All of us; one big family.

Mr. Nixon: Yes, yes. It must be murder if it is one big family.

I would just say the Treasurer may find himself long before his time having to take some pre-eminent responsibility and initiative, not just for keeping the books and delivering a statement once a year as to the budget, but he must follow the example of some of his more high-flying predecessors. Not the very recent ones; McKeough to some extent, Jim Allan to some extent; but really going back to Bob Macaulay. He was a Treasurer, but as a minister took responsibilities and even did a little bit of stepping on toes from time to time.

His colleagues may not like it, but we are going to need leadership over there. I am not saying that in any pejorative sense, but we are not getting it from the present Premier. Things are too easy for him and he thinks running the government these days, a Conservative government, is just putting out little grass fires, taking shots at the opposition parties, keeping things nicely balanced over here, playing some kind of a political game. But in fact there is nobody applying the sort of initiative that a budget amounting to \$60 million a day should permit.

Larry—Mr. Speaker, I hope the Treasurer will consider this advice, given to him in the very best—

Mr. Speaker: Order. I must caution the honourable member. That is the second time he has, inadvertently I am sure, used the name of the member to whom he is referring. I would ask all honourable members to refer to other members by their riding. Thank you.

Mr. Nixon: Right, right. Mr. Speaker, you may recall your advice on that has gone on both sides of the fence over the years, and we have now come down firmly on this side, just at the time when the committee dealing with the rules of the House of Commons has recommended to Madam Speaker there that the time has come when perhaps the surname of the member referred to might be in order under certain circumstances. Naturally we do not follow their lead in these matters, but I appreciate your advice.

I do want to say to the Treasurer that he does have an opportunity, as the supervisor of this enormous budget and as a man who I think has shown in his previous responsibilities that he can have insightful ideas—and perhaps inciting, but insightful ideas—that he can take the initiative a Treasurer in the past has been granted by his colleagues, sometimes reluctantly, to see

that the programs are designed to accomplish the resumption of the kind of prosperity we all want to see here; namely, the reduction in the levels of unemployment to the point where we are not having to cope with the kind of misery in the province that is certainly characteristic of many of my constituents and those of the member for Brantford (Mr. Gillies) and others.

It is time in a government, which after 40 years is approaching the last few months of its existence, that there be a rejection of so many of the commitments made over these years to previous leaders and to previous programs. The time has come for a new look at these problems; a new look with regard to the quality of education that we have talked about before and shall certainly talk about again.

I close my remarks by welcoming the honourable member to his new responsibility, to say that obviously the eyes of the province are on him, not just tonight, although we would hope to hear from him tonight, or during this debate, as to his concepts and ideas as to what we can do in this province with a budget of \$60 million a day. We wish him well and we want to offer him the sort of advice that will come from me and from opposition members during this debate with the hope we can have a better performance by those in charge of the fiscal levers and the financial initiatives than we have seen in the past.

8:40 p.m.

Mr. Foulds: Mr. Speaker, I want to associate myself in the beginning with some of the remarks made by the previous speaker, particularly with regard to the developing soap opera drama in the Wintario-Lottario ads, Mr. Hall, Miss Penelope, niece Vicki and nephew Gordon.

I also want to associate myself with some of the distaste the previous speaker indicated for the so-called lifestyle ads in beer advertisements that are the only things one sees between the shots of the World Series baseball games.

First of all, I want to express my disappointment that the Treasurer (Mr. Grossman) did not see fit to open this first debate on economic matters with a statement of his own. Unlike the previous speaker, it is not my usual habit to talk in personal terms about a member or cabinet minister, but I will this evening for a minute or two. I want to express my genuine congratulations to the minister on being appointed Treasurer. I wish him well, not merely for his sake, but for the sake of the people of Ontario, because the Treasurer's job without a doubt is the most serious cabinet portfolio a minister can have outside of the premiership itself.

I have said in the past the Treasurer is a bright, brash, aggressive and ambitious man, and I think that is still true. He has two engaging qualities. One is that his hidden agenda is so much out in the open that we know he genuinely wants to be Premier. The second engaging quality, if I may say so about the Premier—a slip of the tongue there; I just killed the minister's chances—about the Treasurer is the genuine affection and concern he has for his family. That is genuine, and those of us who are committed to political life and have young families feel that very strongly. I respect that in the minister.

I also used to think he was glib. Now I am not so sure. Actually, I think the feeling the Premier (Mr. Davis) has about the Treasurer is that the qualities the Treasurer has are fairly obvious and quite strong. There is in the public's mind, certainly in his colleagues' minds, the question about whether he has any depth or staying power. I suspect what the Premier thought at the parish pump in Brampton was: "The young minister has all these talents. Let us see if he has any depth. Let us give him Treasury."

Treasury has been the graveyard of people who have been capable and bright but skaters—I am thinking of Allan MacEachen, for example. Treasury has also been the graveyard of people such as the former Treasurer, (Mr. F. S. Miller) whose strong suit has been his candour and his gee-whiz freshness. The former Treasurer almost made a professional—

Mr. Rotenberg: He did a good job.

Mr. Foulds: I would not go that far. He had many admirable qualities, but a good Treasurer the previous Treasurer was not. He was a good accountant, but not a particularly good Treasurer, and there is a world of difference. The member would not know the difference, but there is a world of difference.

I would like to say those things in a personal way about the Treasurer. I would hope he does the job with success and that he can bring some of the former Treasurer's candour and directness to the job, with the better overall view that the budget needs to be an economic document, not merely a fiscal document, and the Treasurer's job needs to be a job that basically has to do with all the economic sides of our society. Because of that, it associates itself with every single intervention the government already takes into people's lives, into the life of society.

Several of my colleagues will go into specific

but limited areas, but this evening I want to talk about job creation for a few minutes.

Mr. Rotenberg: Just a few.

Mr. Foulds: Just a few. What is your riding? Armourdale?

Mr. Rotenberg: Close.

An hon. member: Wilson Heights.

Mr. Foulds: The member for Wilson Heights would not understand this because he tries not to listen whenever possible.

The Acting Speaker (Mr. Robinson): Order.

Mr. Foulds: Did you call me to order?

The Acting Speaker: It was just a general comment. Try to keep the debate flowing along.

Mr. Foulds: Recently we were told that inflation is now down to five per cent. Without for a moment granting the premise that a man-made recession was necessary to bring inflation down to that level, surely the time has come for even Liberal and Conservative governments to put the emphasis on job creation.

Surely the phrase of the former Minister of Industry and Trade, and at least the temporary holder of the Provincial Secretariat for Justice job, when he assumed the Industry and Trade portfolio and said his first priority was jobs, jobs, jobs, is a slogan that should be taken by this Treasurer. Surely that is a slogan that should be taken seriously by this government because, without jobs as the cornerstone of our economic policy, we lose the human face of the reasons for an economy, we lose the human reason why we have an economy.

There are hundreds of thousands of people in Ontario still looking for the dignity of work. If I recall the figure accurately, the latest statistics show something like 425,000 people still looking for the dignity of work. Every single one of those statistics represents a person or a family finding itself quite literally in dire straits. Those are not just statistics. Those are human beings, men and women with families, men and women who had dreams and hopes, men and women who thought this was indeed a province where they could own a home and raise a family with some dignity and where they themselves had the security and the dignity of a job.

What we have found at the federal level and the provincial level is that we have governments willing to sacrifice the dignity and the security of those people's jobs. I find that shameful. I would hope that this Treasurer takes the opportunity not to talk about nine and five and not to talk about six and five. I will be satisfied with his

objectives in the short term if he talks about five and five. If the inflation rate is down to five per cent, let him get the unemployment rate down to five per cent in his next budget.

8:50 p.m.

If we can achieve that, all we are doing is going back to what we were able to achieve in 1975-76. I would suggest to the Treasurer that an objective of five and five is not a bad one. That does not mean restraint on the public service. That means creation of jobs in the private and in the public sector.

In the last couple of months, economists, government politicians and media experts have talked about a so-called economic recovery. We in the New Democratic Party say there is no economic recovery. There is no economic recovery worth talking about until those 425,000 people, those statistics that roll so glibly off the tongue, become individuals in our minds, become the human beings who visit each and every one of us in our constituency offices every week with their stories of unemployment, losing their homes, losing their families, losing their hope. Until those people get off the statistics that continue to face us month after month, there is no economic recovery worth talking about.

The economy, in our view, is not an abstraction out there. It is not something that we talk about as if it were hermetically sealed in a textbook or a budget or in a headline. There is only one reason we as a society have an economy and that is to benefit the people in society. We cannot benefit society as a whole unless we are benefiting each of the individuals in that society; that is a socialist talking, that is socialist talk.

When one is willing, as the Conservative government has been and the federal Liberal government has been, to sacrifice the individual for some abstract thing called an economy, then that is a government that is not worthy of leadership; that is a government not worthy of either the name Liberal or Conservative in the true meaning of those words.

I would suggest that we have had a man-made depression, a government-created depression—

Mr. Rotenberg: The union label is responsible for that.

Mr. Foulds: Oh, I will get to that. Let that remark be on the record, the anti-union remark of the member for Wilson Heights.

The Acting Speaker: Please ignore the interjection and continue your remarks. Order.

Mr. Foulds: The member for Wilson Heights interjects, which I will ignore, Mr. Speaker, with great restraint, that the union label is responsible for the recession and the depression. I just categorically deny that. I challenge the member for Wilson Heights to get to his feet during this debate and prove it and not just shoot from the lip as he is often wont to do in debates like this on a Thursday evening.

I suggest to the Treasurer that the purpose of an economy is to serve people, not to sacrifice people, as this government has done for at least three years now, on some high altar of a fiscal economy. If I may say so, that is what has been so wrong with the man-made depression of 1981-83. The human cost has been too high. The cost to the family, to individuals and to their dignity has been far too high.

I happen to have lived most of my life in a place called Thunder Bay, which is on the western edge of Lake Superior. In fact, that makes me much more a westerner in my outlook than part of the mainstream of southern Ontario. Before I was elected to this Legislature, all of my experience was in northwestern Ontario or western Canada. I think that gives me a special view of the richness, the diversity and the potential of this province.

When I travel this province, as I have had the privilege of doing for the past 12 years as a member of this Legislature, I am struck by the diversity, the richness and the potential of the regions of this province. The regions of this province are as diverse, as rich and as filled with potential as are other regions of this country.

The Acting Speaker: Order. May I ask all honourable members to limit their private conversations, reduce the level of them or hold them somewhere else, please.

Mr. Breough: Do you think maybe you could get the cabinet to pay some attention to you, Mr. Speaker?

Mr. Foulds: We in this province have for many years been the manufacturing heartland and the richest province in Canada. We still have the resources, the human capability and the creativity, and I believe the people of the province still have the determination and the will to be that once again. But we cannot be that, as a people or as a province, without leadership.

At the present time, we continue to have plant shutdowns, and the Premier (Mr. Davis) and his government and, if I may say so, the Prime Minister and his Liberal government at the federal level, do little about it. We still have

farmers losing their farms, and the Premier and his government and the Prime Minister and his government do little about it.

The native people in my part of the province have lost livelihoods and have suffered increased social disruption on account of industrial pollution and other factors for at least the decade of the Davis administration, if not longer, and the administration does little about it.

We lose two of our most precious natural resources, agricultural land and our forest resources, at an unprecedented rate, and the administration does little about it except engage in a public relations game that puts a better face and a better publicity program on the figures than actually exists.

I have indicated that I feel very strongly that job creation, putting to work, at least giving the opportunity of work to those 425,000 currently out of work must be the government's number one priority.

9 p.m.

What worries me about the vague statements we have seen coming out since the appointment of the member for St. Andrew-St. Patrick (Mr. Grossman) as Treasurer and the demotion of the former Treasurer, the member for Muskoka (Mr. F. S. Miller) to the Ministry of Industry and Trade is that for a while it seemed the magic solution for creating jobs was export markets.

I do not deny the importance of export markets, but what worries me is how the government, almost in a sequential way, goes searching for the Holy Grail of a magic solution. First, it is going to be high technology, then it is going to be export markets, then it is going to be import replacement and then it is going to be something else.

Maybe the smart thing to do is to concentrate on all of those possibilities as much as we are capable of within our limited jurisdiction. In terms of import replacement, for example, we could have marvellous opportunities in the mining machinery industry. This party has talked about that for 10 or 12 years. We could have job creation in the processing of food, in the manufacturing of agricultural machinery, in the development of high-tech industries and in the world of medical supplies.

In spite of the figures that appear to be coming down, it is simply unacceptable that we have an unemployment rate in Ontario of 9.4 per cent in September. When one stops to think that the average unemployment rate between 1971 and 1976 was 5.2 per cent, it is unacceptable

that a decade later we have an unemployment rate of 9.4 per cent.

It is unacceptable when no single city in Ontario for which Statistics Canada has statistics has an unemployment rate of less than five per cent. It is also totally unacceptable that cities such as Windsor, St. Catharines, Niagara Falls and Sudbury still have double-digit unemployment rates.

I will begin to admit that there is some progress on the unemployment figures, that there is some progress in the world of creating jobs, when I see in a number of those cities that there are unemployment rates of less than five per cent. That may not be a bad interim, short-term objective to aim for by the time the Treasurer presents his budget.

The most worrying thing we need to look at in the unemployment statistics, as we work through all that maze, is that the duration of unemployment is increasing. The average worker in his or her mid-40s spends almost half a year unemployed, and long-term unemployment—that is, more than six months—is now experienced by fully half of those who are unemployed.

What is really startling is that the age group experiencing the growing length of unemployment is those 45 and over, both male and female. In August 1982, which is the last month I have these statistics for, those people were unemployed on an average of 24.9 weeks or more.

In other words, long-term unemployment in Ontario has escalated since 1981. Long-term unemployment in Ontario in August 1981 was about 33 per cent of the total, in August 1982 it was about 37 per cent of the total, and in July 1983 it was 50 per cent of the total.

That to me is the danger statistic. That is the flashing red light the Treasurer should be looking at because, if he does not find genuine retraining programs or genuine employment opportunities for men and women in their middle years, in the 45 to 55- and 60-year age groups, we are going to be facing very serious economic problems and even more serious social problems.

Very briefly, we have not had an economic recovery. What we have had is a profit recovery. There is no question that there has been a profit recovery, but that profit recovery has not yet resulted in a genuine job creation base for our society.

The member for Wilson Heights (Mr.

Rotenberg) has left. I regret that, because I wanted to talk a little bit—

Mr. Van Horne: I do not.

Mr. Foulds: I do not really, but I am feeling in a sort of generous mood this evening in spite of the seriousness of my topic. I was in a generous mood to the Treasurer; it will probably be the last time that I will be. I would be in a generous mood to the member for Wilson Heights.

I want to talk a bit about trade because occasionally one sees the magic slogan thrown out about free trade: free trade in selective commodities, perhaps with the United States; free trade in everything; free trade in this and free trade in that.

What we have to start thinking about is fair trade and not free trade. We have to establish rules in our jurisdiction. I understand the delicacy in establishing them at the same time as they are established in other countries, or in other jurisdictions, but it is important that we do it.

We have to establish rules that say clearly to the multinational corporations, to the IBMs and so on, that if they sell goods here then it is their responsibility, as part of being a so-called good corporate citizen, to produce here, and to buy their components here as well.

Recently, for example, we lost more than 20,000 jobs alone in the auto industry. If we had fair trade and our fair share of producing the components we are entitled to under the auto pact, we could have another 80,000 jobs in Canada.

Our trade deficit in computers alone cost us about 15,000 jobs in Canada. We saw all too clearly when SKF decided to stop manufacturing ball bearings in Canada that it had nothing to do with the efficiency and the capabilities either of the management or the work force at that plant; it had to do with international decisions. We have to remember that General Electric decided to stop manufacturing steam irons, and RCA decided to stop manufacturing colour TVs here.

9:10 p.m.

Canadians consume about \$100 billion worth of imported manufactured goods every year. We end each year with a trade deficit that requires the wages of all of Ontario's manufacturing workers to pay for it, and that is no way to run a country. What we consume here and what we can produce here we should produce here. That is a very simple principle, but it is one that

is not yet government policy and is not yet a reality in our economy in Ontario.

If we can grow peaches in the Niagara Peninsula, for example—and we sure can—we should not import them canned; it is that simple. If we mine nickel in Sudbury, surely we should be able to produce stainless steel cutlery here. If we harvest trees in northwestern Ontario, surely we should be able to manufacture the machinery that goes into cutting those trees down.

I just want to wind up with two or three remarks about one other cliché that tends to come up from time to time, and that is the whole question of sunrise and sunset in the industries. I do not think those terms are very useful.

Let me go back a bit. I believe that governments need to be part of the solution to our economic problems. They need not be the whole part, and they certainly do not need to be the end-all and the be-all; but they cannot withdraw, wash their hands of the economy and say, "Let private enterprise do it all."

This is the rhetoric we hear from Conservative mouths these days. Frankly, I hope it is just rhetoric, because governments buy a lot of supplies and spend a lot of tax dollars, and those tax dollars should be spent to create jobs here. This goes for every level of government, from town councils through to the federal crown corporations.

Many people will say that it cannot be done. In fact, the Treasurer during one of his previous incarnations as Minister of Industry and Trade for a while was very hot on what he called global product mandating. Basically, as I understand it—and I confess, like the Treasurer, that I am not an economist. As a matter of fact, when I was appointed to this job, one of my friends sent me a primer on economics—

Hon. Mr. Grossman: Who sent it to you? That's important.

Mr. Foulds: Who sent it to me? I will never tell.

Anyway, some people will say under that term of global product mandating, which now has sort of filtered down to talk about sunrise and sunset industries, that we cannot do certain things, that other countries are better at making cars or TVs or steel or machine tools or baseballs or clothing and we should let them do it; we should buy their products.

I say we can produce most of those goods, if not all of them, every bit as competently. We should not be prepared to let our basic industries decline; we should not sacrifice our basic industries, whether we are talking about cloth-

ing, machinery, cars, televisions or appliances, simply to make a mad dash for high technology on the one hand and resource exploitation on the other.

I think the distinction between so-called sunrise and sunset industries is so much nonsense. Most of Canada's major industries can be winners or they can be losers. The auto industry, for example, has been written off as mature or declining by many commentators; that is, it is a sunset industry. However, the auto industry happens to be the largest user of robotics and programmable controllers. It is a leader in applying lasers and optical scanners to production. It is the first major industrial user of computer-aided design.

The point is that high technology is fundamentally merely a means to an end. One can have all the fancy gadgets one wants, but if one does not have the industries to use them, one does not have the base domestic market to work from to grow into the international markets. Industrial winners are made, not born. One cannot pick those winners blindfolded.

Finally, I want to talk a bit about the service sector, the social sector and the government sector. We live in a world of paradox. There is too little work for the private sector and too much work for the public sector. We have an inadequate supply of basic social services today in this province and in this country. We have public subsidies to capital-intensive production, while labour-intensive public services go begging.

Hiring teachers to teach early childhood education is just as important as producing washing machines. Producing and guiding parents, helping them with their children, is just as important as producing hardware. Employing workers to install scrubbers in hydro plants to reduce acid rain and manufacturing pollution control equipment to improve the quality of our drinking water is just as useful as producing nuts and bolts. Hiring skilled community workers for day care and support programs for the elderly, hiring people for mass transit and building co-operative housing are just as valuable as any production in the private sector.

In many ways, these things are more important to what we would call our standard of living, or what the Premier used to call the quality of our life, than many private sector pursuits.

The economy is not an abstraction; it is a crucial public policy issue. What needs to be done in the economy goes beyond the reach of the private sector. As a person who believes in a

mixed economy, I would say that it must include the private sector; but honestly, and even a Conservative would admit it, the private sector cannot deal adequately with the redistribution of work and the redistribution of income. Unfortunately, no matter how considered our efforts, that cannot be done merely through the private sector.

I want to end with a plea to the Treasurer. If he does anything in his tenure as Treasurer before he moves on, he will have done a lasting service to himself and to the people of Ontario if he creates what I call a new five and five program. If he keeps the inflation rate at five per cent in this province—I know the difficulty because of the international scene and the federal scene—and aims at and achieves a five per cent unemployment rate, he will have an achievement worth thinking about, worth having and worth becoming the Treasurer of Ontario for.

9:20 p.m.

Mr. McGuigan: Mr. Speaker, I rise to say we will, of course, support the bill for interim supply because to do otherwise would be very irresponsible in looking after the civil servants and the people who require to be paid and all those people from whom goods and services are purchased to keep the government running; but I have a few things I would like to get off my mind to the Treasurer before we vote on this issue.

I recall the meeting we had in our caucus room a couple of years ago with the late president of Suncor, Ross Hennigar. I remember our past leader Dr. Stuart Smith digging and digging and finally extracting from the president that Suncor would not attain its purchase value at something in the order of \$48 a share—that is not the exact figure but it was in that order—until about the end of the century when inflation caught up to oil prices, caught up to the general level as inflation moved along at its rate of eight, 10 or 12 per cent a year. When the company was finally wound down, in possibly the year 2000—and one will recall the price of crude oil was predicted to be \$100 a barrel long before that time—then the purchase of Suncor would be a good buy.

We have a system of mortgaging which a number of people have been caught in which is called negative amortization. That means as one pays one's interest each year, one does not pay any principal. One falls behind a little bit in one's equity position on that mortgage each year as it runs by. It is called negative amortization.

I remember reading of one very successful example of that four or five years ago when the Lord Simcoe Hotel was torn down and the lot was sold—I think Suncor is on that site, or Sun Life Assurance Co. at any rate, Sun Life—they said at the time that the property sold for the highest price property has ever been sold for in Toronto. If my memory serves me right, I think they said it was \$1,700 a square foot. As a farmer who is used to dealing in acres, I recall there are 43,560 square feet in an acre. At \$1,700 a square foot, one would need a computer to figure out the value of that land per acre, but it comes to a huge sum.

That is not the point. The point is that at the end of the windup of the Lord Simcoe Hotel, even though that hotel had never made money in one single year of its operation, which went on for something in the order of 30 or 35 years, there was so much money made on the property, which really was the result of inflation, that it paid a good dividend for all those years and the shareholders came out of the deal okay. That is an example of successful amortization.

Yet this government, and we fully supported it, seized the assets of a number of trust companies, took over those assets and is disposing of them in various ways. In my view, that is what the manipulators of those trust companies were really doing; they were saying: "If we hold on to these purchases long enough, inflation will move them along to the point where, at the end, there will be that many inflated dollars to cover the \$512 million. There will be enough money there to cover that." They were all banking on inflation moving along.

From my analysis, it seems to me Mr. Rosenberg was saying: "Between point A and point B there are a lot of dollars in profit. Rather than wait to the end of the period, we will extract that profit now." What he was really doing was extracting a profit in 1982 dollars that would have been expressed probably in the year 2000 dollars. The government, and we supported it, said that was a no-no, and I think it is a no-no. Yet in my opinion we have a government doing exactly the same thing with Suncor. It is exactly the same type of operation, negative amortization, all based on a \$100-a-barrel price for oil and all based on inflation.

As my leader pointed out the other day, the results of that tragic move are already too evident. He bought 10 shares on the market at \$15 a share. The Premier (Mr. Davis) said that is not a true market value. I suppose there is some validity in that 10 shares hardly gives one an idea

of the value of that market to the penny, but it certainly is an indication that those shares are only worth a little less than a third of the price they were worth at the time of buying.

The reason I mention all of this is to show the absurd position the government is in because of its treatment of one company and yet it uses another treatment or actions for itself. As we point out, this is often money that could be used to great advantage in other areas.

We saw one of those areas on Tuesday when the member for Huron-Middlesex (Mr. Riddell) moved an emergency motion to try to deal with the very severe emergency position the red-meat people in Ontario find themselves in, particularly those who are in the beef area. The government, not wanting to air such a debate on the floor, hid behind the Speaker's ruling. Of course, the Speaker's ruling was independent, but they would not want to see their members from farm constituencies voting against the farmers of Ontario. One can understand that political position but it is hard to square their obvious neglect of a very important segment of our food industry which today is crying out for dollars.

One of the things I take particular exception to in that whole deal is that for the past two years our Minister of Agriculture and Food (Mr. Timbrell) has been going to farm meetings—I have attended some of those meetings and have listened to him—and he has made great speeches implying that all that is wrong with our agricultural economy here in Ontario is the lack of stabilization. He implies that if only that ogre up in Ottawa, Eugene Whelan, could be persuaded along with the cabinet to go with a stabilization program, we would be well on the way to recovery.

Today he has some general agreement that we will go to a stabilization program, although the provinces involved, Saskatchewan, Manitoba and Ontario, have not agreed to the fine print and details of it, so it may be that we do not have an agreement at all.

9:30 p.m.

Regardless of that, we wasted those two years by holding out a false hope to the farmers of Ontario, making them believe that it was safe to continue to invest in that industry, safe to continue feeding cattle, providing food for the people of Ontario, because all they had to wait for was the stabilization program to come forward. In fact, I think it is safe to say there were some hints in some of the statements that even if the federal government did not come

forward, the province would, although it was never definitely stated.

Finally, today, when he made statements that I believe were designed to take away some of the heat from his own members, and he referred to stabilization, I believe he admitted what I have been saying to him in our estimates and in conversations, that a stabilization program is something like a net put under people who are performing on a high wire. If, by chance, they fall off the high wire, it saves them from death and from being smashed on the pavement below.

That was not the way he talked over the past two years, that it was a net. People listening to him would have got the impression that it would save one from falling off a high wire, one could pass safely from one side of the arena to the other on that high wire; admitting, of course, that anyone who feeds cattle, puts them in the barn, is taking a bit of a chance, it is not a guaranteed way to profits, not by a darned sight.

I believe he led people to assume that they were going to be stabilized somewhat and their balance kept while they did that high-wire walk. Today, we learn that this is not the case because he admits it is a nonincentive program. If English words mean what I think they mean, then a nonincentive program is a price below the cost of production.

I ask members what sort of program is it for the farmers of Ontario when we stabilize them in a losing position? I call it stabilized poverty. Now we have lost those two years in which to debate the larger question, which is that in Canada and in Ontario it has always been public policy, whether under a Liberal government or under a Conservative government, that in general we charge the consumer the price of food so that the consumer, when buying a roast, a hamburger or whatever, would know that the price he was paying was the true price, not a price made up of part of the production cost plus a subsidy from the government. That has been public policy in Canada and Ontario for a long time under both Liberal and Conservative governments.

There is a pretty sensible reason for adopting that stance. Canada is a large country in area with a fairly small population and very much dependent upon export. If we look at the money earned by farmers today, 50 per cent of it comes from export. When we subsidize beef or any other commodity in Canada, 50 per cent of that is going to be realized by Canadian consumers

but the other 50 per cent is going to be realized by consumers offshore.

That may be all right for the United States, which is much richer than we are to begin with, but only about nine per cent of their agricultural dollar that goes to their farmers comes from export.

It is a losing game if one is going to try to get in and play that game. It is a mug's game. Canada cannot win. Now we have wasted two years where we might have debated this question in the farm community and among governments, and decided upon that policy.

I am confident that if the people of Ontario, the people of Canada and the farmers were fully apprised of that situation they would in some degree accept it. But the old road that has been taken by the minister has been to waste those years and to put out the implication that, well, it would be all well with them if they only had this stabilization program.

I am reluctant to vote for this interim supply, but of course, I know it must be done.

I certainly challenge the Minister of Agriculture and Food and the government of Ontario to come out and really level with the people as to the policies they are pursuing when it comes to food pricing. One could think back to the review we had of the food pricing system in Ontario about 1978, which resulted in a report in 1980, the investigation into discounting practices in the food industry. That report was pretty much of a whitewash. They exonerated the people who were carrying on these practices. They have continued to carry them on and some allegations are made that they are even increasing them.

But one of the statistics that really shakes one is that industry makes a net return on investment, with some of the better players in the job, of about 16 per cent. It is away ahead of manufacturers and ahead of the distributors. It is ahead of most businesses. Those are dollars that could be used to help bridge that gap between those farmers who today find themselves staring down the abyss of bankruptcy and some measure of support to help them survive.

The tragic part of all of this is that it is not as simple as a gas station going bankrupt or a cleaning business or a restaurant. I sympathize with any business that goes bankrupt for whatever reason, because the people go through hell, but the terrible part of farmers going bankrupt is that the individual person under whose stewardship the ship finally sinks can say to himself: "This farm was established by my

great-grandparents in the 1800s. It has gone through several generations; it has put people through universities; professional people have come out of this farm; a lot of good artisans have come out of this farm; the people who make up the cities came from this farm and today I have lost it all."

Before this winter is over there are going to be some very sad situations in that regard. I pray it does not happen. I pray with all my strength it does not happen, but I know the turmoil and the agony that those people suffer because I have seen it. I have brushed close enough myself on those occasions when prices and weather go against one. As I say, there is another example where this government has missed its opportunity to try to help these people.

9:40 p.m.

I am disturbed and disappointed, too, with the actions of the government in regard to social matters. The committee I have been on, the social development committee, dealing with the question of abuse in the family, had an excellent report submitted that was not brought forward.

Then most recently we dealt with abuse in the child welfare area. As a member of that committee, I visited Kenora and saw the plight on the Indian reserve there, the Grassy Narrows reserve, which, admittedly, is probably as bad an example as one could find. Here we find people who not too many years ago were employed in the forest industry. It is said that they could go to Kenora, stand on a street corner in the morning and be picked up by lumber operators, who would take them out to the bush where they would earn a good dollar, and they were expert woodsmen. Of course, mechanization and changes in the forest industry have taken that away from them.

Mr. Haggerty: They even took the wild rice away.

Mr. McGuigan: As the member for Erie says, they took away the wild rice, which was one of their traditional ways of earning their living. The mercury pollution coming from a pulp and paper plant ruined the fishing. So they find themselves without anything to do and they can only live on welfare.

One of the complaints the Indians made was that there was not enough housing. I mentioned this before. It seemed a bit silly to me because for a couple of days or more all I could see on every hand was trees. It seems a bit crazy that in a land that is blessed with unlimited amounts of

trees, the best building material in the world, people should be lacking housing.

I said to the Indian chief, "Were I a young Indian here and my bride and I wanted to move into a house of our own, I would be out there cutting down a tree with an axe"—I can cut down trees with an axe; I have had experience that way—"and I would be building myself a house."

It would be a pretty decent house, too. I have pointed out that there are people in this province, and I have seen them in southern Ontario, who are building luxury houses through the method of putting up a log house. The advantages of those houses are that they are very well insulated. Wood itself is a good insulator. Surprisingly, one might think that a house made of wood burns down rather easily, but that is not the case with a log house because logs do not burn as well as cut lumber does. It is a rather safe house to be in, a lot safer than a frame house.

Yet these people's answer was, "We cannot get at any of this timber; it does not belong to us. If we take the timber we will end up in jail." So I ask, would any member of this House, faced with those circumstances, act any differently than they do? They take the way out that most people would take. They try to drown that fire that is in their groin, that fire that is in their bellies and that fire that is in their minds. I am not a drinking man, but faced with the same circumstances, I would try to drown it, too, and I think a lot of other people would try to drown it.

Now that we have these people nearly drowned in liquor, we have the interesting suggestion that the thing to do with them is to take them out in some remote place in the bush. I find that a little intriguing and a little interesting. Here we have bushmen, people who can survive in the bush and have survived in the bush for hundreds of thousands of years, who showed the first immigrants of this country how to survive. The immigrants would have died the first winter or two if it were not for the survival tricks that were taught them by the redman.

We are saying to them, "We think the way to handle your case is to put you back someplace way in the back of beyond." It is somewhat reminiscent of the trite manner of sweeping it under the rug. We take it off the streets of Kenora where people can see it, where visitors to Kenora can see it, where it is a nuisance and put it off in not the back forties but the back four thousands.

I am not an expert on how to deal with these matters. I am not sure whether that is all bad, but it certainly strikes me on the surface that would be a rather ridiculous way to try to solve a problem because it does not strike at the root of any of the problems.

I see the member for High Park-Swansea (Mr. Shymko) does not like my rhetoric.

Mr. Shymko: No, I love it.

Mr. Nixon: Lucky you had House duty tonight.

The Deputy Speaker: Order.

Mr. McGuigan: I put up with his rhetoric, so surely he can put up with mine.

It is more than rhetoric; it is deep feelings that come from the heart because I worked with a lot of those people all my life in my industry, the fruit and vegetable industry, which is a low-paying industry. I do not make any apologies for that; that is the nature of the industry. We are competing on every hand with products from other countries that are produced by the same method of production by lower-paid people.

Some of those people have been Indians, immigrants or lumberjacks who have been displaced from the lumber business. They are still great people, people who have a heart and soul; they have a dignity. There is nothing like the dignity of the people who carry oppression and who carry it with a smile on their face. I marvel at them. I do not think I could do it that well, I would be striking out, I would be trying to make amends. I have seen those people and that is why I feel as deeply as I do about the plight of those Indians. Yet this government says the answer is to ship them to Siberia, I guess. I doubt if they will accept them in Siberia.

I have pointed out a few of the reasons why I feel very reluctant to vote for this interim supply. Being the responsible people we are and the responsible person I am, of course, I will; but I will certainly call upon this government to correct just a few of its many under-the-rug operations.

9:50 p.m.

Mr. Breaugh: Mr. Speaker, I want to put on the record a few remarks, as I usually try to get on about the process itself, which I think is an interesting one and which brings us around to these interim supply motions. As was pointed out earlier by the members for Port Arthur (Mr. Foulds), we want to discuss a little bit about jobs and job programs, how they are put together and the techniques and the ramifications of it all. I think that is important. I would anticipate that the Treasurer (Mr. Grossman), having

already made some initial remarks about wanting to do a little bit towards opening up the budgetary process, may be a little more receptive than were previous ministers who had his responsibilities.

I recall the last time I did this the member for Muskoka (Mr. F. S. Miller) was the Treasurer of Ontario and he rose at the end of my remarks and said I knew nothing about the parliamentary budgetary process, which is probably true because I have only studied it for about 20 years. I think it is that complicated a piece of business that it is possible to study something like the parliamentary budgetary process and at the end of 15 or 20 years not know a great deal because there are great mysteries involved in the formation of budgets which no one really knows.

As has been the case traditionally in this House, in the House of Commons in Ottawa and at Westminster, there is a whole aura of budgetary secrets involved. Traditionally, it is true that no one but the Treasurer of a province or a nation knows what the process is, prior to it being announced. There have been Treasurers who have been taken out of a cabinet because there were leaks. We had in this Legislature on the last budgetary process a kind of a leak, a lost garbage bag full of information and a bit of a hullabaloo around it.

I am pleased to see that this Treasurer is taking to heart what I think some members of this Legislature have had a chance to see in other jurisdictions; that is, that it is possible to put together a budget which is based on a broader source of public knowledge, which allows for discussion, as our Treasurers have traditionally done with groups of their choice, but also discussions from quarters that one has never really touched upon, for example, members of this Legislature.

I hope the current Treasurer is serious about putting forward some information, some position papers, and opening up the process. I do not expect great leaps of change, but if he would just open the process up a little bit, then I think we would have a better budgetary system and we would have a system which would work better.

I think, too, that there is a whole realm of nontraditional techniques which governments in the western world are going to have to learn. There are sources which governments currently ignore or play down or say those people do not know what they are talking about. The Treasurer is going to have to find the methods by which he listens to them.

There are lots of examples and lots of buzzwords around about tripartism, about consultation and about joint efforts and a raft of management tools, economic tools and governmental decision-making bodies that are different from what once was the case.

It still is true here in Ontario that many of our programs, such as job-creation programs, are programs which, in essence, are designed behind closed doors. The minister will gather around him people he can trust, as the Minister of Industry and Trade did at one time, and spend \$300,000 or \$400,000. That, apparently, is the key element.

In the wire service story I read tonight, the member for London South (Mr. Walker), seemed to have some difficulty trusting other people. It is true, as the late Mr. Robarts is quoted in the story as having said, that governments do not hire their enemies, they hire their friends and their friends have a tendency to tell them what they think they want to hear. It is not necessarily what the truth is. Perhaps sometimes they tell them the truth as they see it from their perspective as an economist, as a speechwriter, as a historian or as a political scientist.

They get one expert's version of the truth in a room where there is not a lot of confrontation, in a situation where somebody is making a rather substantial amount of money for whispering in the minister's ear about what the minister should say or how he should say it; or for realizing the political reality that when a government announces a whole lot of high-tech centres but has not got a sweet, faint clue as to what those high-tech centres are going to do, the minister had better go out and spend \$300,000 or \$400,000 and find somebody who can put on a good show because the integrity and the reputation of the government is at stake.

I do not mean to say that I have seen a lot of governments of a whole lot of political stripes that have operated much differently than that, but I do mean to say we need to change that process, we need to change that system and we need to find new mechanisms. I do not suppose we will ever stop it.

This summer the federal government announced some new retraining programs in critical skilled trades, and they worked to a degree. A committee I sat on investigated or studied or reviewed the Ontario Manpower Commission, which from my personal point of view has a lot of potential. It has all of those experts I talked about before. It also has access to a number of ministries that are critical to the

growth and development of skilled trades, and that appears to me to be at least one area where we are dramatically weak in our productivity and where we must get stronger in a hurry if we are going to compete on a worldwide basis with a market that is getting more and more sophisticated every day.

So it seemed to me we had a match here. We had a federal government announcing a program in an area where I thought it was necessary; we had a provincial government with an Ontario Manpower Commission supposedly studying those areas where those critical trades existed. It turned out that at the end of the summer Ontario sent back to the federal government \$27 million, not because it did not want to use the money but because it could not find companies in the private sector that wanted to participate in this program. Now it seems to me that all of our sophisticated experts, with all of their graphs and their computers and their studies, fell flat on their schnobs, and we would have been just about as well off to take the advice of some guy who works with a shovel. He probably has not cost us \$27 million so far.

It seems to me that somehow in this wonderful process that has evolved as government there are still some lessons to be learned. One of the things I have said on a number of occasions now that I liked about the latest little round of job-creation programs by the province and the federal government, the Canada-Ontario employment development program, is that instead of saying, "We will go out and dream up great schemes to create some employment of a short-term, immediate nature;" they turned to another level of government that has been hurting for some years now, municipal governments, and said to them: "Okay, now start to bring up some of your priorities. You have been really cut back in capital works programs in particular for a number of years. We know you have a backlog of projects you want to do. We know those projects have gone through your budgetary process."

It is not a sure bet but it is a reasonable assumption to make that those things have had a fair amount of scrutiny as they went through the municipal budgetary process, which is far more open than either the one used in this Legislature or the one at the Parliament in Ottawa. We know that projects are needed, we know they have been well planned and we know that the basic groundwork for developing those projects has already been done. The fault was no money.

So I was happy to see that for once the

government did not take on great reams of things on its own but turned to municipalities that had a backlog of projects and said, "Okay, you are the people who are closest to being able to bring on stream in a hurry work projects that are sensible, rational and have gone through some kind of sorting process."

I have not been shy about saying to the government that this is not exactly a long-term solution to our economic problems in this country, but it is very sensible for a government when it wants to get jobs on stream in a hurry to turn to another level of government that has been holding back capital works projects for some time.

I want to say, too, that here in Metropolitan Toronto something a little different and unique was put together last spring that I support. This document is called *A Time for Public Leadership* and subtitled *Industrial Strategies for Metropolitan Toronto*. It was put together by the Labour Council of Metropolitan Toronto, issued in June and used as a focal point at a conference.

It is certainly not unusual to see documents of this kind put together. Those of us who have spent some time on municipal councils know there are industrial development commissioners, economists and schools that from time to time hold seminars and put together briefs of this kind, but they tend to be rather academic.

Those of us who have spent a little time with, say, industrial commissioners know they are very much people who are trying to do a sales job. At least, the ones I met in my municipal political career had in the back of their minds that their job was to sell, for example, the region of Durham or the city of the Oshawa or the city of Toronto.

10 p.m.

They were not particularly concerned with the long-term development of strategies and they were not particularly concerned with jobs, except for the job angle. It was always a very attractive thing to dangle in front of anybody's municipal council, and that always seemed to be the last phase of the argument. But the first phase was the sale of some land, the development of some property, some use of existing land. In some cases, developmental parks were put together. They had a valid perspective of the development of a local economy, but a somewhat narrow, limited one; they did not see it from all points of view.

One of the things I liked about the work done by the labour council here was that they did several sides to the development story. There

are, for example, quotes in this particular document, using economists, planners and people who are working in the industrial development field, which I think are extremely valid.

There is also a lot of work done in here in just talking to ordinary people about what is happening in their plant, the potential for their particular work place, the potential for the community in which they live and what kinds of things could be done.

One of the things that some people will find surprising, but I do not, is that ordinary people out there often have a perspective on life, whether one is talking about social programs, restraint programs, economic growth or something which seems as sophisticated as developing industrial strategies. They have a perspective on all of that as well.

The ordinary person's perspective would be different from that of an economist, for example, and from that of someone who is working in the industrial development department for a large area such as Metropolitan Toronto, but it is a valid one. Not all of what they have to say or think may be as sophisticated as some of us would like, but it is a valid perspective. It is something from which I think we have a great deal to learn.

One of the current, very trendy items in the industrial world is to go to what they call the Japanese model for industrial development. The impression I get from reading the literature and discussing it with Japanese politicians and industrialists is that they seem to be very quick in glossing over the fact that there is a two-tiered labour system in Japan. In fact, it is more than a two-tiered system; there are three and four tiers to it. When one buys a little Sony and thinks he is buying a Japanese product, one is buying a two-tiered Japanese product, with probably a third and fourth tier involved for different parts as they move on to exploit cheaper work forces in other areas around them. That part of the system is glossed over quickly.

However, they move to something that is valid. That is, the Japanese, for a long time, have not ignored the workers in the work place. As a matter of fact, it is quite the contrary. They have become very successful managers of their plants by doing what a North American manager would be the last thing to do. They go to someone who is working in the work place and say: "What can we do here that would make your job better, more efficient, more productive?"

Absolutely, to a North American management mind, this is a phenomenal thing to do

The last thing that happens in North American management is talking to the workers. In most instances, from our experience, one does not talk with workers; one tells them what to do. One tells them how to punch in to an assembly line. One tells them their quota. One tells them how quickly that line must go.

It seems to me that when we did time study management, we did not care. That there was a human being involved in the process was not a factor. It seems absolutely ridiculous to me that we would take someone from an office, for example, whether that office is in a university setting or industrial setting, put him in an industrial work place that he probably had never seen before in his life, let him watch it for a relative short period of time and then, for some strange reason, feel he had the ultimate, correct view on the productivity in that work place.

I dare say there have been lots of things put into time study management where, quite frankly, the people who wrote the management study did not know anything about production, any more than we would in walking by a work station. One of the things the Japanese did do, and it seems pretty basic to me, was to say: "Well, that is a valid perspective and we are prepared to listen to that kind of stuff. We are prepared to listen to all kinds of people who have new high-technology ideas."

One of the tremendously successful aspects of the Japanese economy is to take all the things that are developed, for example, in the auto industry in the United States in the 1950s and 1960s. Our auto makers looked at all the high-technology stuff and robotics and said: "That is great stuff, kids, but we don't need it. We are the world's largest car makers. We always have been. We make what the people want. We don't need your high-technology stuff."

The Japanese said: "Well, maybe we'd like to take a look at that and bring it over into our plants and refine it and make it specific to the plant that we have." In doing so, there was not a great threat to the workers inside that plant at least, because the company said to them: "Listen, we'd like your help in using this technology. We're not going to fire you," as would be the North American instinct, I suspect, on the management side. They said to their workers, "We think this technology will make our plant work better and we want you to help us implement that."

That is a tremendously different point of view. One of the things the Treasurer could do,

which is happening in a number of communities around Ontario, is to listen rather than ignore the situation, as I tend to think unfortunately happened to much of what is put into this document simply because it came from a labour council.

I noticed in the debates on the Toronto city council, where this document was mentioned subsequently, there was a kind of a pro group that said, "That's a really great document," and a con group that said, "There's absolutely nothing in that document that is worth even looking at." It seems to me that is probably unfortunately typical of the way these things are perceived. I think that is unfortunate.

I would be happier, for example, when this kind of discussion took place, if people said there was a valid role for all sectors in our economy to play. People, such as the Labour Council of Metropolitan Toronto, not only have a right to sit down and put together a forum on this kind of industrial strategy, not only a right to put together a document that puts out what they think would be useful in terms of developing an industrial strategy for Metropolitan Toronto, but they have in fact an obligation to do that. I would like to see the same technique used in a variety of ways throughout Ontario, because in my reading of the document I find—and I just want to quote a few areas in here, because I think that—

Interjections.

Mr. Breaugh: Mr. Speaker, that is exactly the point I am trying to make. I think it would be useful in these debates in the Legislature and in debates on city council if those members who were elected to make these kinds of decisions simply had the good grace to shut up and listen once in a while.

I know there is a problem with politicians doing that, but I am saying that is a basic fault in the political process, a basic fault in the decision-making process, that there are other people whose ideas the minister may not like, but it is his job as a political leader and as a member of the Legislature or municipal council at least to listen to them. If he does not like to listen to them, he can find another occupation. That is fair. If he cannot develop the tolerance and the patience to listen to somebody else's point of view, that is fine.

He does not have to if he is running a business; he does not have to listen to someone else's point of view. I think it is to his peril not to. If he wants to be totally independent and free, he can go out and do that, but if he wants to be a

part of the political process, he does have to develop a skill that allows him to hear what other people have to say. He does not have to agree with them; he does not even have to be friendly to them. All he has to do is listen to them. That is basically my point.

The analysis that is in this document about the import industries, the basic industries, and the specialized and export industries that are here in Metropolitan Toronto, I think is valid. Quite frankly, it could have been written by an economist at any one of our universities, or someone working in any of the industrial sections of a planning and development department or public works department. It seems to me that what they have done in this part of their report is a simple, straightforward analysis of what makes up the economy of Metropolitan Toronto.

What is a little bit unique, though, is that we do not very often do that. There is not, in the North American experience, a lot of time and effort spent on a local basis to analyse just what are the jobs in one's community.

For example, if one goes to any of the constituencies here, represented in this Legislature, and asks people on the street, or even people in the Legislature, what are the jobs in their community, I think one will find, at very best, a very unsophisticated concept of where the jobs are in one's community.

In mine, for example, I will bet most of the people here would assume that the auto industry is about it for Oshawa. That is not true. It is true to a large extent that the auto industry itself is a major force in the local economy of Oshawa, but it is also true to say that the type of production related to the auto industry has changed dramatically in the last four or five years and it is true to say that there has been a tremendous change.

10:10 p.m.

For example, at one time when I visited my Oshawa and District Labour Council I would look around the room and see virtually nothing but industrial trade unions. Now when I go to the Oshawa and District Labour Council, there is a very heavy representation from public service unions, from the Ontario Public Service Employees Union and the Canadian Union of Public Employees. The complexion of the organized labour force in my area in the last 10 years has changed pretty dramatically.

The Ministry of Revenue, which less than a year ago was not even a presence in my local economy, is now third in terms of employees.

Local economies change, and I think it is important to recognize when those changes occur, what they are, and what the interplay is.

For example, in my area and in Metropolitan Toronto, a lot of industrial growth, if there is going to be any, depends on the use of new technology. A lot of smaller plants do not have the facility to do that.

In some areas of Ontario, such as mine, the community college, like Durham College, has become very good at developing not just the normal academic training of students in the use of new technology but in hooking up what is done in the community college with what is done in the industries in that area, and in making that interplay an integral part of the development of what will be the new programs, how those programs will be used, and seeing, for example, that young people are trained not for a theoretical skill in a theoretical job but to try to see that at the beginning of the educational process there is an identification that when this person acquires that skill, there is a real job in a real factory that is waiting for that particular skill to be developed.

More than that it is to see that what is done inside the community colleges makes use of equipment, personnel and techniques that will help to develop small industry in that community. That is when we are beginning to realize what the faults are in our economic development.

One of the things I thought was rather nice about reading this particular document is to see that it is somewhat critical, for example, in regard to the generally held faith that it will be the private sector which leads us out of the recession. What is fundamental about this particular report is that there is an acknowledgement in here, a very strong one, that for the foreseeable future in this country and probably forever, the private sector will be where most people have their jobs. There is something in the private sector, a skill and a process at work which I hope always stays vital, but there is also a clear recognition that in the private sector the purpose of the exercise, and everybody I know who is involved in private enterprise is pretty straight about this, is to make a buck.

The purpose of the exercise is not to produce new jobs. The purpose of the exercise for General Motors of Canada in Oshawa is not to make Oshawa a great place to be. That is a byproduct, but General Motors is in Oshawa and companies are here in Metropolitan Toronto to make a profit.

If they do things which stimulate the local

economy, if they have a lot of spinoff effects, everybody smiles at the chamber of commerce, at the Rotary Club, and says, "Aren't we great guys?" and we are. But when one gets right down to it, the purpose of the exercise is to make a profit, not jobs—to make a profit for that company, not for the local economy, not for Metropolitan Toronto, or Oshawa, or Ontario, or, in many cases unfortunately, the country called Canada. Their goal is clear; they have been given an assignment from head office and they try to carry that out: make a buck.

There is nothing wrong with that, except when governments say, "Well, these people over here in the private sector who are simply trying to make a buck, turn a profit, also have to get the added responsibility of carrying the economic load for a country or a province, and they have to create all the new jobs that are going to happen." They are not in business for that purpose. Nobody ever said to them from head office in Detroit that General Motors lugs along the economy of Canada. It happens they have a pretty massive impact on the local economy in a place such as Oshawa, but when it comes right down to it, if GM is not turning the profits that they want, head office makes decisions, GM Canada makes decisions, and they slow the process down. They do not feel a great obligation to keep the plant in production if they cannot sell the cars.

In the private sector everybody seems to understand that. It seems to be in the government sector that people do not understand it. One cannot expect GM, Ford, Chrysler, Canadian General Electric, Sklar, or anybody else for that matter, to keep a plant in operation when there is nothing that requires them to do so. In this document, in the Legislature this afternoon during question period and on several occasions previously, a case has been made that when a company makes that economic decision to shut down a plant, at least some people ought to be told about it. There ought to be some advance notice; there ought to be some public justification for what is going on because of all these other ramifications that are there.

We are now going to get people who are 45, 50 and 55 years of age again thrown back on to a local labour force. They will be going to social services departments, as they have been doing in my area. It is quoted in this document. I do not mean to be too harsh or too personal about this, but take the current Minister of Labour (Mr. Ramsay), for example. When the last committee on plant closings and severance pay

sat, I happened to sit through some of the hearings. He happens to be a gentleman I respect, not just as a member of the Legislature, but quite frankly because he is a nice guy. I am not afraid to say that.

He sat in the committee and it seemed to me as I watched him sit and listen to guys I know, who live in my community, he had never heard those things. He did not know what those guys were going through at all. There did not appear to him to be a problem, simply because none of those guys had ever talked to him before. They talk to me for reasons which are their own. They come to me. They are 45 and 50 years of age and have worked in one industrial plant all their lives, and the plant is long gone.

I cannot seriously tell those guys, "Go up to Durham College and get into the computer-aided design, computer-aided manufacturing program." These are guys who speak the English language but certainly cannot write it. Many of them had a very basic education in another country and have been out of school for 25 and 30 years. One cannot convince them they are going to go to a community college and learn how to run a computer. That is not going to happen. They know it and we know it.

Then one gets the unfortunate phenomenon which is caused by doing nothing. There are people, because I heard them less than two or three years ago, who would come to me and say: "There are too many people on welfare, Mike. You should not be making an argument to raise welfare allowances. That is tax money and all that stuff." They were rather vehement in their views. I am sorry to report to the Legislature that some of those people are at the social services department of the region of Durham because their unemployment insurance has run out, because they have a pension from places such as Robson-Lang Leathers in Oshawa of \$12 a month and there is no place else for them to go.

These are proud industrial workers who have spent a lifetime in a factory doing what society said one had to do, which is pick up one's lunch bucket, go to work in the morning, stay there until the job is done, come home at the end of that time and see that one's family stays together and gets an education so they do not have to do that kind of thing for a living.

It seems to me the Labour Council of Metropolitan Toronto in its report said, "We have to involve people in roles which they may be uncomfortable with, which maybe they traditionally did not do." A labour council does

not generally try to sit down and develop an industrial strategy for a community like Metropolitan Toronto.

To put it rather simply, the Labour Council of Metropolitan Toronto has acknowledged that it has to. It has the responsibility to its membership to put together this kind of document, to stage that kind of forum and to propose this kind of initiative.

They have not proposed pie-in-the-sky stuff. They talk about the private sector. They talk in good measure from a perspective which perhaps the government of Ontario is not quite ready to embrace totally, but I think one has to hear that, when they talk about the importance of public initiative, they are saying simply that the private sector is not interested in building the economy of Ontario, it is interested in building the economy of the plant or the company.

That is fair game. That is what they have always said they were trying to do. That is what they have always done. They have never made any pretense they were going to develop Metro Toronto or the province all on their own. That is the job and the responsibility of the government of Ontario.

When the labour council talks about democratic economic planning, we may not like the term and perhaps it is not the accurate term, but I am trying to get the message across that other jurisdictions in this world have begun using different words to do much the same thing, to go to the work place and, instead of telling people in the work place how they are supposed to do their jobs, stopping long enough to say, "What could we do here that would make your productivity a little better?" Most of the time, it is extremely simple things, the kinds of things that engineers do not see on drawing boards, the kinds of stuff time management people do not see.

10:20 p.m.

It has to do with things such as: "How far do I have to reach to get a part? How should the line come through, at eye level, or should I have to bend over all day long to fit this part on to this automobile or whatever it is we are making?"

It has to do with the idea that perhaps we would do what other people do and what we have never done here, not for a long time anyway, which is to say to people who work in large production facilities: "Do not sit around waiting for the latest robot to be developed. You are a thinking part of our production process. You have things to contribute to us. We count on and we need the input of you as an

individual to tell us how we could put together a better product."

Perhaps then one could turn to a worker in an industrial plant and say, "Are you happy with your product?" We have then made it that person's product.

If one goes to any plant in anyone's riding and asks people who work in that plant, "What did you do today?" most of them did not make anything; they did something. They put three screws in a particular location, they bolted on 95 fenders that day or they ran X units through the paint line, but they did not really make anything. The person is a component part sitting there doing a rather boring, drudging and, I hope, well-paid job, but he or she did not make a finished product. They do not have the sense when they leave work at the end of the day that they created something. They did what they were told to do. They did it for as long as the company wanted and in the exact way the company wanted it done, even if, in one's heart of hearts, they knew that was the stupidest way to go about that project.

I think that is what they mean when they talk about, not democracy in the work place—I do not think that is an accurate description of what anybody is after—what they are talking about is a little respect, a little listening, a little feeling that maybe the worker in the work place knows a little about what he or she is doing and maybe could contribute to some kind of economic planning.

I am not suggesting we all sit down and have a vote on all these things, but I think it would be useful to listen. I think once in a while the democratic process as we know and understand it in the western world could kick in.

I wanted to touch on a couple of other areas because I think they reflect on the way the labour council in Metro went about it. It did a pretty good analysis of the basic ministries, which ones are up and which ones are down, and where there are problems in areas such as machinery, electrical products, automotive products, and clothing and textile work.

I think that kind of analysis has to be done, because the alternative is to get sucked into what is glibly tossed about at cocktail parties in Ottawa—and I hope not too often here—about sunrise and sunset industries. I cannot use the word which actually accurately describes that kind of mentality, but it will make the roses grow.

For some expert, economist, planner or whatever he or she might be to sit around his plush

office at \$75,000 or \$100,000 a year and make these wonderful decisions about which part of our economy is dead in the water and which part of it ought to get all the government money to keep it going is ludicrous, to say the least. I always like to think of the former member for Sudbury who had some wonderful terms about academics who are given to making this kind of prognostication.

They do not know what they are doing. They have advice. They have information they could give to somebody such as the Treasurer of Ontario, which I think is just fine. That is what those people are paid for, for that kind of expertise. But if that is the only advice, the only perspective which politicians such as the Treasurer and people who are making decisions will ever get, they are so wrong as to be ludicrous. They are missing not just half the formula, but a good deal more.

For example, in areas that were once very active in Toronto such as clothing and textile production, there was a lot of that sunrise and sunset stuff going around. When one listens to them at the cocktail parties, the receptions and at the little academic meetings, someone says, "There is no room any more for a Canadian textile industry." It is like there were no people involved in this. It is like pieces of paper which fall off a desk and that is it, boom, it is gone and in its place is some new high-technology piece of business.

The world does not operate that way. When one gets into arguments about more complicated things like the auto pact, auto trade agreements and the federal task force on the auto industry itself, one hears people say, "We are free traders." I do not know what century that philosophy came out of.

It is a nice pleasant theory, but do not say it to someone—for example, a Canadian manufacturer trying to sell his or her products in the Far East in places like Japan. The Japanese will often say to people from Canada, "Sure, come over here. We have no trade restrictions on that particular item. Why don't you step in here and try to sell your products in Japan?" or any other country in the Far East. When one gets there, one finds there are no restrictions, no government policy restricting one's trade in that nation, but when one gets down to the nuts and bolts of how to get the product there and on to the local market, it just cannot happen. All of a sudden there is free trade but there is no practical, pragmatic way to get that trade in there. It just does not work.

I think they have some useful things to say about a number of specific types of plants and machinery that are in operation here in Metro and a reasonable analysis of those particular sectors of a local economy.

I think the distinction, the places where perhaps the Labour Council of Metropolitan Toronto and the Treasurer of Ontario would part company would be in areas where there is perhaps a little more attention paid to the needs of individual workers and groups of workers. I would hope in time these workers would become an asset rather than a liability to the government of Ontario, a tool which it can use to make better economic decisions and that it would change its mind on that.

There is one nice sentence in here and I think it shows the balance of the report. I will conclude with this, Mr. Speaker. In their report, they say, "Most of the investment in Metro Toronto will of course continue to be in private hands." We are not talking about a theoretical exercise here; I think that is just reality being recognized. "There is, at the same time, a need to modify the dynamics that influence private capital movement so that they can take into account other costs, often social costs, of those movements."

If one has studied different economies in different parts of the world, one of the first things one notices is that in other countries people who are making money in the private sector also carry a heavy social obligation, unlike the Canadian experience where a guy can make a decision in Chicago, send that decision up to Metropolitan Toronto and close a factory so 800 people hit the streets. From that point, it is then somehow seen to be the government's responsibility to do something.

In other jurisdictions that responsibility is at least shared and in some it is more than shared. Governments have said to people in the private sector, "You can lay them off if you want, but it is your responsibility to carry the social cost for those human beings for the foreseeable future." I think in something like the auto industry, which I am more familiar with than I would care to be, in North America people have got used to the ups and downs of the auto industry. "You are going to be working overtime for two or three months and then you are going to be laid off for a while." That is why they have a thing called a supplementary unemployment benefits fund.

One of the things which struck me in Sweden as being simple but interesting is that the

government in Sweden said to Volvo, "You lay them off all you want, but you pay them while you lay them off." Oddly enough, the response from the corporate world, Volvo in that case, was simply, "We will not lay them off. We will simply change our production schedule. We will even it out." So from the company's and the government's point of view there was no added cost and from the worker's point of view there was a feeling that he or she was more than just a cog in the machine, but a human being worth being listened to and worth considering.

I would commend to all members in the House this particular document put together by the Labour Council of Metropolitan Toronto, and, more important the concept that was behind the formation of this document. Its form I think is one which needs to be utilized by the Treasurer of Ontario and governments all across Canada.

On motion by Mr. T. P. Reid, the debate was adjourned.

The House adjourned at 10:30 p.m.

CONTENTS

Thursday, October 20, 1983

Government motion

Interim supply, resolution 13, Mr. Grossman, Mr. Nixon, Mr. Foulds, Mr. McGuigan, Mr. Breugh, adjourned. 2293

Other business

Adjournment. 2316

SPEAKERS IN THIS ISSUE

Breugh, M. J. (Oshawa NDP)
 Conway, S. G. (Renfrew North L)
 Foulds, J. F. (Port Arthur NDP)
 Grossman, Hon. L. S., Treasurer and Minister of Economics (St. Andrew-St. Patrick PC)
 Haggerty, R. (Erie L)
 Kolyn, A. (Lakeshore PC)
 McGuigan, J. F. (Kent-Elgin L)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Robinson, A. M., Acting Speaker (Scarborough-Ellesmere PC)
 Rotenberg, D. (Wilson Heights PC)
 Ruston, R. F. (Essex North L)
 Shymko, Y. R. (High Park-Swansea PC)
 Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Van Horne, R. G. (London North L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament
Friday, October 21, 1983

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Friday, October 21, 1983

The House met at 10 a.m.
Prayers.

STATEMENTS BY THE MINISTRY

TORONTO FUTURES EXCHANGE ACT

Hon. Mr. Elgie: Mr. Speaker, I am pleased to report that the Lieutenant Governor in Council will be proclaiming the Toronto Futures Exchange Act today and appointing the first board of governors of that exchange.

As members may recall, the act received third reading on May 17, 1983, and royal assent on May 26. The act creates a separate exchange for commodity trading in Ontario, bringing futures dealers under a self-regulatory umbrella. The act is an important step forward for Ontario investors, who have had to direct much of their futures trading to major American exchanges. Winnipeg has the only other separate exchange in Canada.

The statutory provisions that govern the establishment and operation of the new exchange are similar to the provisions of the Toronto Stock Exchange Act, 1981. The act provides a regulatory framework under the supervision of the Ontario Securities Commission for trading in commodity futures contracts, including those based on financial instruments such as government securities and currency.

As members are aware, futures markets enable those who deal in financial instruments or commodities to hedge—that is, to insulate themselves—against adverse changes in future price levels. Through the device of the commodity futures contract, this risk is transferred to others who, prompted by the opportunity for profit, voluntarily assume the risk.

In proclaiming the act today, the Lieutenant Governor in Council is appointing the first board of governors of that exchange on the recommendations of the board of governors of the Toronto Stock Exchange, which is the sponsoring agent behind the act. This board will hold office until an elected board is established, which must occur within three months of the act coming into force.

The first board consists of the following five people. Mr. Kenneth A. Field, a member of the

Toronto Stock Exchange board, executive vice-president and director of McLean McCarthy and Co. Ltd., and a member of the TSE futures committee; Mr. Albert D. Friedberg, a member of the Toronto Stock Exchange futures committee and general partner and director of Friedberg Mercantile Group; Mr. Mark D. Kassirer, chairman of the Toronto Stock Exchange futures committee and a director of Burns Fry Ltd; Mr. R. James Williams, vice-president, domestic investments, treasury division of the Bank of Montreal; and Mr. Charles R. Younger, chairman of the board of governors of the Toronto Stock Exchange and chief operating officer and a director of Dominion Securities Ames Ltd. Mr. Younger is also chairman of the new TFE board of governors.

These new directors are present today in the Speaker's gallery, accompanied by Mr. Huntly W. F. McKay, vice-president of markets and market development for the Toronto Stock Exchange. I would like to extend our welcome to them and our best wishes.

Under the proposed bylaws of that exchange, a total of 300 seats may be issued on the exchange. It is also proposed that when issuing seats the exchange will be opening up its membership to commodity dealers and financial institutions, including independents who are not currently members of the Toronto Stock Exchange.

The act requires that the affairs of the exchange be managed by a board of directors, who may be referred to as governors, consisting of: (a) the president of the exchange; (b) two public directors or, where the bylaws so provide, up to four public directors; and (c) eight other directors elected by members in accordance with the act and the bylaws.

As previously stated, Toronto Futures Exchange members will be electing their representatives within the next three months.

The TFE is subject to the supervision of the Ontario Securities Commission and the provisions of the Commodity Futures Act, 1978.

Since September 1980, there has been a limited form of commodity trading on the Toronto Stock Exchange by TSE members and nonmembers who are registered in Ontario as

futures commission merchants. This temporary practice will continue until the Toronto Futures Exchange is operating, we hope in mid-January, from the Toronto Stock Exchange tower.

I want to extend my thanks to the financial community for its invaluable input in bringing about the creation of the new Toronto Futures Exchange. It is a big step forward for Ontario.

LIGHT RAPID TRANSIT SYSTEM

Hon. Mr. Snow: Mr. Speaker, it gives me great pleasure today to announce to the members of the House that more than a quarter of a million visitors have taken a free 2.2-kilometre round-trip ride on the demonstration section of the greater Vancouver's advanced light rapid transit system. These visitors included area residents, transit experts and engineers from around the world.

The Vancouver line, as I am sure the honourable members know, is using the intermediate capacity transit system developed by Ontario's Urban Transportation Development Corp. In addition, Metro Canada Ltd., a wholly owned subsidiary of UTDC, is building the 21.4-kilometre line for BC Transit.

The two-car demonstration, offered on June 27, had logged 23,754 kilometres as of October 14, familiarizing British Columbians with their new system while demonstrating the reliability of its components.

During its scheduled running hours, the train established a record of 99.8 per cent service availability. On the comment forms provided, well over 90 per cent were positive, with qualifiers such as: "How about coming to Surrey?" "Ride too short!" "Can't wait until it's finished!" "Needed since year one!" and so on.

In closing, a total of 114 vehicles are being built for Vancouver at our plant near Kingston, where ICTS vehicles and similar transit systems for Scarborough and Detroit are also being manufactured.

Vancouver's full service system will begin in 1986 in time to showcase this Canadian transit technology to the world during Expo 86.

10:10 a.m.

HAMILTON-SCOURGE PROJECT

Hon. Ms. Fish: Mr. Speaker, members may be aware that the Hamilton-Scourge project has come under considerable scrutiny this week in articles appearing in the Hamilton Spectator on October 18 and 19, 1983.

The Spectator writers interviewed former project archaeologist Ken Cassavoy, who resigned

at the end of August this year because of his disagreements with the direction and management of the project.

As project archaeologist, Mr. Cassavoy held the licence issued by the provincial government to study the ships. He could not be present at the time the city of Hamilton decided to conduct a side-scan sonar survey. The survey took place anyway on September 1, 1983, two days after Mr. Cassavoy's resignation from the project. Mr. Cassavoy claims that the survey was an archaeological investigation requiring a licence which he had held and that the city of Hamilton therefore conducted an illegal survey.

The city of Hamilton has responded that the survey was not archaeological in nature. Since then the issue has been referred to the Ontario Heritage Foundation for its consideration and recommendations. The archaeological committee met just recently and advised that the members of the archaeological committee of the Ontario Heritage Foundation agree that the side-scan survey undertaken by the Hamilton-Scourge committee was archaeological in nature and therefore required a licence.

While the activities which occurred on September 1 should have been licensed, the documentation indicates there may have been mitigating circumstances which require careful examination and this is now being done.

The committee also recommended that all interested and involved parties be drawn together to review the current circumstances and to determine future directions for the project.

This project is of international archaeological significance. The Scourge and the Hamilton are two arms schooners that sank in a furious squall on Lake Ontario during the War of 1812. We might never have learned of this part of our history if it had not been for the invaluable recollections of Ned Myers, a survivor of the Scourge disaster and a friend of the American writer James Fenimore Cooper. Cooper immortalized the sinkings in his work, *Ned Myers; or a Life Before the Mast*.

It is thanks also to the unflinching efforts of Dr. Nelson, an underwater enthusiast and expert, that we have discovered these two archaeologically significant ships, preserved almost entirely intact. Since he began his labours 11 years ago, the Scourge and the Hamilton have been the subject of a 1980 Jacques Cousteau film on the Great Lakes and a cover story in the March 1983 *National Geographic*.

We are in the middle of one of the most exciting and important underwater archaeolog-

ical stories in our history. Therefore, I have accepted the recommendation of the Ontario Heritage Foundation, which is an agency of my ministry, and will call a meeting of all those involved at the earliest possible time.

METROPOLITAN TORONTO ASSOCIATION FOR THE MENTALLY RETARDED

Hon. Mr. McCaffrey: Mr. Speaker, on Monday the member for Bellwoods (Mr. McClellan) raised a question regarding funding for the Metropolitan Toronto Association for the Mentally Retarded's community residential program, the extent of the association's waiting list and the impact of the five-year plan on this situation.

With respect to funding, I would like to stress that MTAMR is not the only agency providing community residential services in Metro Toronto.

Mr. McClellan: I know that.

Hon. Mr. McCaffrey: Hold on. Second, in the past 18 months, 74 community residential places have either opened or been approved in principle in Toronto.

MTAMR has opened six adult group home beds and six children's group home beds and has received approval in principle for another 32 adult group home beds. The John Howard Society, Frank Drea House, has opened 10 new adult group home beds. The Salvation Army has opened nine adult group home spaces and three adult apartment spaces. The Reena Foundation has opened eight new apartment places.

In addition to these 74 new spaces, we have given approval in principle to MTAMR for 11 new apartment places as part of our five-year plan. We have also, in the last 18 months, approved new day programs for 112 clients in Toronto—42 with MTAMR and 70, again under the five-year plan, with the Reena Foundation.

With respect to MTAMR's waiting list for community places, we have already approved funding for the association to conduct a review of this list. I want to clarify for the member that a waiting list does not reflect actual need. Reviews of the waiting lists of other agencies have revealed that there is a substantial difference between the number of names on the list and the number of people who actually need service.

A recent review of the Reena Foundation's waiting list showed that of 117 names on the waiting list, only 52 people required services, and the services they required were not always residential: they included parental relief, ser-

vices required for independent living, general support services and the like.

Sixty-five people were eliminated from the list after the review because 40 no longer required service; 12 had applied in anticipation of future need, but at the time of contact did not require service; three were outside the catchment area served by the agency; and 10 were from outside the province. I might point out that of the 52 people who did require community places, a number were residing in facilities and therefore already receiving service.

Similar results were found in a review of another agency in an urban setting. Of the 37 people on that waiting list, 26 people were already receiving service from other agencies or facilities. We anticipate that the results of the review of MTAMR's waiting list will be similar.

With respect to the last part of the question and what impact the five-year plan will have, I wish to remind the honourable member that this plan calls for the establishment of new community services well in excess of those required by the 989 residents who will be discharged from facilities.

Specifically, we are creating 1,000 new places in the family support program, 750 new supervised community living spaces, 244 new group home places, 1,381 new training and employment places for higher-functioning developmentally handicapped adults, 500 new training and employment places for lower-functioning adults, 200 new beds for severely handicapped children and, lastly, 250 new places for severely handicapped adults.

ORAL QUESTIONS

CONTRACT TENDERS

Mr. Peterson: Mr. Speaker, I have a question for the Premier. The Premier is no doubt aware of press reports yesterday and today with respect to questionable practices in a senior ministry of his administration.

Does the Premier agree with Mr. Les Horswill, Assistant Deputy Minister of Industry and Trade, who said that the subject contracts should have been tendered, or does he agree with the minister, who said that the subject contracts did not have to be tendered?

Hon. Mr. Davis: Mr. Speaker, I really think the contracts probably fall into two separate categories. I do not purport to be totally knowledgeable on the nature of all of the work performed by the two organizations that were assisting the ministry and the minister. I think it

is fair to state that with respect to those services one retains, say in the field of speechwriting etc., there is no question that the Manual of Administration was followed.

I did not listen to the discussions on the radio this morning, but I understand that the reporter who wrote this story initially indicated that the Manual of Administration in the government was thorough, probably one of the most comprehensive—

Mr. Foulds: Those were not her exact words.

Hon. Mr. Davis: I did not hear it, so I may be wrong in what I said, but that is the impression that others gave.

Mr. Foulds: Oh yes; second-hand reports.

Hon. Mr. Davis: Listen, you people deal with second-hand reports for 50 per cent of the questions you put to this House.

Mr. Speaker: Order. Never mind the interjections, please.

Hon. Mr. Davis: I also have great respect for Mr. Horswill. I have known him for some time. He is a very competent person. I guess it is one of those decisions, made at the discretion of the minister—ministers do have discretion—where the determination was made that there was a certain real measure of urgency, that the necessity to move the tech centres ahead was very genuine.

I think from the press reports—once again, I have not had an opportunity to talk to the people at the various tech centres and so on—there is a very general feeling that the company involved in that exercise performed extremely well and the public received very excellent value for its money.

I can anticipate the supplementary question but, instead of answering it in advance, I will wait for it.

10:20 a.m.

Mr. Peterson: I just wish the Premier had answered the question I asked rather than trying to anticipate what I might ask in the future.

Mr. Speaker: Order. Question, please.

Mr. Peterson: He chose not to answer the question.

Very serious suggestions have been made about the practices. The Premier is also aware that the same minister has said that other ministers—indeed, all ministers, I believe—follow the same practice. Will the Premier undertake to table all the untendered contracts that have been signed not only by that minister but also by other ministers under his jurisdiction?

Hon. Mr. Davis: I will not give any such undertaking. I will certainly look into it. I really do not anticipate that there are very many.

I would only point out to the Leader of the Opposition that I think contracts of this nature fall into rather distinct categories and those related to the ongoing function of a ministry—related to, shall we say, activities that are not directly related to the activities of a minister—would be different from those people that one retains or puts on contract, say in terms of speechwriting.

In the case of the Leader of the Opposition's office, I did not see any ads before that distinguished gentleman from Vancouver was added to his office. I somehow sense that he is probably being paid out of taxpayers' money, as are most people in the leader's office. I did not see any tendering procedure or any advertising for the most competent person irrespective of political affiliation. In fact, I have not sensed this in his office since the day he assumed his responsibilities, and understandably so. I have never seen a card-carrying Conservative sitting under the gallery who is a member of his staff.

Mr. Foulds: Mr. Speaker, if the Premier was quoted correctly in the press reports and does not feel the necessity to ask for the minister's resignation, does he feel the necessity to toughen up the standards so that the public purse is not overcharged to enhance the reputation of a cabinet minister?

Does he not think it would be a good idea if this whole matter were referred to an investigation of the standing committee on public accounts so that the conflict between the statement he made this morning, that not all cabinet ministers engage in this practice, and the statement the minister made at his press conference last night, that all cabinet ministers do engage in this practice, can be clarified?

Hon. Mr. Davis: Mr. Speaker, I think the Manual of Administration and all of these things can always be subject to review. The government has never been reluctant to do that. We have done it over the years on many occasions. I do not think there is anything inconsistent in that and what I said last evening to the press. They asked me whether I was seeking a resignation and I made it quite clear that I was not. What is really at issue here is whether the public received value for the advice that it was given.

Mr. Renwick: No, it isn't.

Mr. Foulds: The answer to that is obvious: no. The minister's reputation is in tatters.

Mr. Speaker: Order.

Hon. Mr. Davis: With great respect, I could ask the honourable member the same question. He has a certain amount of public funds being spent by his research office. There are some days I sit here and think, "Is the public getting value for the calibre of questions that his researchers are paid to give him to ask?"

Interjections.

Mr. Speaker: Order.

Mr. Peterson: The issues at stake here are very clearly the proper use of public funds: whether those are being administered properly and whether the public has a right to know on what basis those funds are being spent.

I have asked the Premier to put forward and table those untendered contracts. I remind the first minister, if he will refer to the order paper, that questions 82, 83, 97, 98, 113 and 128 were originally tabled on September 29, 1982, and again on April 22, 1983, and his government has chosen not to answer them.

Why is he not prepared to share this information with respect to untendered contracts with the public of this province, the people who are paying for all those friends to be on the payroll?

Hon. Mr. Davis: I will not get into the discussion again as to whose friends are on whose payroll. In terms of the public payroll in the member's office, I think I would be very surprised if he had any enemies. He has had some who have left, but I do not recall any enemies. They are friends of his and they are being paid by the public. That should not come as any great surprise to anyone. I would not anticipate that the member would go out and hire for his office somebody who is somewhat dedicated to his political demise. That would be very foolish. But he should not forget they are paid out of the public purse.

I say to the member that we are not reluctant in terms of who is assisting or providing consulting services to the government. I think the issue here is, did they produce value for what they did?

Mr. Foulds: No, no; the issue is whether the proper procedure was followed.

Interjections.

Hon. Mr. Davis: With great respect, I say this to the member for Ottawa East (Mr. Roy): I may be wrong in this, but I know I am right with respect to the member for Ottawa Centre (Mr.

Cassidy). I can recall one tech centre opening in Ottawa which was extremely well handled and very important to that community. A great deal of effort went into the organization of the tech centre there getting the people in place. There was a very significant opening ceremony, and my recollection is that the member for Ottawa East and the member for Ottawa Centre were front and centre in terms of participating in that opening. In fact, he was there insisting that his picture be taken along with everybody else. That is my recollection. If I am wrong, let him tell me.

INFLATION RESTRAINT PRACTICES

Mr. Conway: Mr. Speaker, I have a new question for the first minister. I would like to resume with the first minister my conversation of yesterday having to do with the promise and the practice of restraint by his government.

The Premier will recall that yesterday we discussed the fact there is on record the knowledge that he has condoned the awarding of an untendered contract that has set a \$900-a-day consultant to work in this province.

Keeping that fact in mind, just yesterday at noon at the Brampton Board of Trade, the Premier said: "Ontario can take pride in its record of restraint. The facts speak for themselves. Ontario has achieved this record of fiscal prudence by way of sensitive and careful management. It will require us to keep very careful control of our costs."

Mindful of the Premier's injunction, what does the Premier suppose it signals to the 400,000 unemployed people in this province from Pembroke to Kenora and Windsor to read in the public press today that some \$400,000 worth of untendered contracts have been awarded to close friends of this government at a time when we have on record 81,826 public servants at work for the province in March 1983?

What kind of effect does the Premier suppose the action of his Provincial Secretary for Justice (Mr. Walker) has upon the public confidence in the restraint program he was speaking about as recently as yesterday in the great city of Brampton?

Hon. Mr. Davis: Mr. Speaker, I guess it is fairly regularly that the member for Renfrew North is not totally aware of his facts. I do not say this to tease him; I just say it very factually. I am delighted that he is quoting from the speech I made in Brampton, except I never made that speech in Brampton. I was there, I delivered an excellent speech, but I did not get to the first

page of the prepared remarks; so when he quotes me—

Mr. R. F. Johnston: Which is often the case. We've noticed that tendency before.

Hon. Mr. Davis: I am not sure whether we were cautious enough—

Mr. Ruston: You gave it to the press, though.

Mr. Wrye: You distributed it.

Hon. Mr. Davis: Certainly we distributed it, but I explained to the press yesterday—

Mr. Bradley: Now back to the question.

Mr. Speaker: Order.

Hon. Mr. Davis: I am telling the honourable member that when he is quoting me from the speech made in Brampton, he should be accurate and say he is quoting from a text given to the press gallery. It was not a speech delivered in Brampton. I departed very substantially from the text.

Mr. R. F. Johnston: A telling point.

Interjections.

Mr. Speaker: Order.

10:30 a.m.

Hon. Mr. Davis: I would also say to the member that I remember the dialogue of yesterday and the fact that the member wishes to seize upon certain gossip or conjectures made. I think, in essence, it gets back to the question of the value produced by those who were performing for the government.

The member can make his judgement; the minister has made his. I can only tell the member that I am more knowledgeable about one aspect of this, and that is the question of the development of the tech centres. I can say that in terms of the economic impact, there is the need to move them ahead with great speed. There is the fact that they will have, and are having, a major economic plus in terms of the economic life of this province. There is the fact that some of the member's colleagues were amongst the most enthusiastic people at the opening. Two or three of his colleagues are absent today who were at those openings. It was a clear demonstration to me of their commitment as well, in their own communities, to the tech centres and what they would produce for the people of Ontario.

I think the minister has made it clear in his observations to the press that for the particular aspect of the contracts that are here under discussion there is no question as to the per-

formance, what happened and the value that the public receive for that amount of money.

If the member does not agree with the tech centre proposals, if he does not agree with those government initiatives, I think it is fair for him to state that. I would not quarrel with it; that is the point of view he can have. I can only say that I was there with many of his colleagues who, I almost got the sense, were trying to convey to the press that it was their idea these tech centres should be created within their own communities.

Mr. Conway: Does the Premier not agree with me that at a time in this province, when we have 400,000 unemployed and beleaguered taxpayers everywhere, and the Premier under these conditions trumpets a restraint call, when we have 81,000-plus public servants, it is a charade and an outrage of the first order to read in the public press that a minister of the crown, on an untendered basis, hired a personal friend—"my executioner," to quote the minister in question—to "stage manage" the political openings of six tech centres across the province?

The issue is surely this, would the Premier not agree, that under these conditions, now a matter of the public record, it holds his restraint policy up to ridicule when we see that, within the Family Compact of Ontario Toryism, the good and close friends of this government are being so well provided for under very questionable practices—

Mr. Speaker: Order.

Mr. Conway: —when the taxpayers everywhere are being asked to restrain themselves?

Mr. Speaker: Order.

Hon. Mr. Davis: Dealing with the tech centres, I know the fact that the gentleman involved in this very important responsibility has been identified as being a supporter of this government upsets the member. I can understand that.

I will not get into chapter and verse as to the practices and how ours differ from those of the member's federal colleagues in the government of Canada. I could give the member a litany here that would make this appear to be very insignificant by comparison. I never heard him say a word about those practices and what has happened over the years. He has never made any public statements.

I only say to the member once again, it may disturb him that the gentleman who is the head of this organization happens to be a supporter of the party. I regret that it disturbs the member,

but I can understand it. The real essence of the question is, was there value for what was done?

Some hon. members: No.

Hon. Mr. Davis: That is fine.

Mr. Speaker: Order.

Hon. Mr. Davis: I do not think the member would acknowledge there was value, but in the view of the minister, in view of the importance of the tech centres and their potential in terms of economic growth in this province, the fact was that the government determined they should move ahead expeditiously and the gentleman involved played a role in making that happen.

The minister has made it very clear to the press and to the public that in his view value was more than received in the performance of that activity. The member is never going to agree with that, I understand that; but that is the judgement that ministers make.

Mr. Conway: Can the Premier indicate clearly and unequivocally that he is satisfied this morning that all aspects of the Management Board guidelines or rules with respect to the tendering or the letting of contracts were adhered to in the matters under discussion here this morning? Is the Premier prepared to say that he is now satisfied that all government guidelines with respect to such contacts were adhered to?

Hon. Mr. Davis: I cannot be that totally unequivocal, because the guidelines—the member has read them, I am sure. Has he? I assume he has read them.

Mr. Speaker: Back to the question, please.

Hon. Mr. Davis: I know the member for Rainy River (Mr. T. P. Reid) has read them. I am not sure the member for Renfrew North has, but I assume because he has asked the question that he has read them. If he reads them, he will sense there are different kinds of “contracts” or there are areas where ministers have a certain measure of discretion. I think it is fair to state I am satisfied there was no intended contravention of the Manual of Administration.

CONTRACT TENDERING PRACTICES

Mr. Foulds: Mr. Speaker, I would like to direct a question to the Chairman of Management Board. I wonder whether the Chairman of Management Board can clearly indicate to the House a response on the essential question that is before us, not the one the Premier (Mr. Davis) is trying to avoid, and that is whether the proper practices and procedures with regard to tendering contracts and competition have been followed

in the case that is being discussed this morning in the House.

Hon. Mr. McCague: Mr. Speaker, I have not delved into the matters that are before us this morning or that appeared in the press. The person who wrote the article contacted me about speechwriting for ministers and whether it is covered in the Manual of Administration, which it is not. I understand that some other contracts are in question; if the honourable member would like me to, I would be glad to look into it.

Mr. Foulds: Does the minister not think the guidelines and procedures outlined for management consulting services should have applied in the case of the tech centre business? The guidelines say very clearly that before seeking assistance from management consultants, the ministry shall establish the feasibility of the project, ensure that consultants’ output can be measured against defined objectives, that the scope and terms of reference for the project are clearly understood and documented, that skilled resources are not available for this project within the ministry and that, and I quote directly: “Ministries shall not retain individuals as management consultants for purposes other than management consulting as defined above. For example, ministries shall not use consulting services in a quasi-employee or quasi-supervisory role to supplement ministry staff on a temporary basis.”

Can he tell us whether the project tendering requirement that all exceptions require the prior approval of Management Board for an exemption from tendering was followed?

Hon. Mr. McCague: The member always starts off with “Does the minister not think . . .” and I am not sure what that means. As I said, I do not at this moment recall a request for an award of a contract or whatever it is to the gentlemen in question ever having come to the board, and I told the member I would look into the matter.

Mr. Roy: Mr. Speaker, I have just a couple of very simple questions for the minister. Does he agree with the Provincial Secretary for Justice (Mr. Walker), who is quoted in the article as having said, “Contracting is a legitimate way that every single minister follows”? It goes on to say at another point, “Mr. Walker says all ministers have contract employees.”

10:40 a.m.

Does the minister agree with the statement that all ministers have contract employees?

Second, if that is the case, why would the minister not be prepared to bring all of these contracts before the House? After all, they are expenditures of public funds and the public has a right to know how the funds are being spent.

Hon. Mr. McCague: Mr. Speaker, the honourable member asked me whether I agreed that all ministries have contract employees. I agree that every member of this House has contract employees—every member of this House, as I understand it.

Mr. Philip: Mr. Speaker, the minister no doubt will be aware that—

Mr. Roy: Mr. Speaker, on a point of order: I think there has been some confusion in the minister's interpretation of the nature of major contract employees that the minister was referring to—

Mr. Speaker: Order. The member for Ottawa East will please resume his seat.

Interjections.

Mr. Roy: Mr. Speaker, the minister is confused by what we mean about contract employees.

Mr. Speaker: No, no; that is up to the minister, not me.

Mr. Roy: He is hiding behind deliberate innocence.

Mr. Speaker: Order. The honourable member will resume his seat, please.

Mr. Roy: The public knows what you are up to over there.

Mr. Speaker: Order.

Mr. Philip: Mr. Speaker, the minister no doubt will be aware of the fact that time and again members of his party have used their majority in the standing committee on public accounts to quash any move on my part or by other members to have a look by the Provincial Auditor and by the members of that committee into the tendering processes on information and advertising contracts.

If the minister has nothing to hide, will he go on record at this time, while members of the public accounts committee are here, as favouring a full investigation of this matter by the Provincial Auditor and by the public accounts committee as well into whether the Manual of Administration should be changed to include this type of contract?

Hon. Mr. McCague: Mr. Speaker, the honourable member knows, and I am sure it can be verified by the member for Rainy River (Mr. T. P. Reid), that I have always been very support-

ive of the work done by the public accounts committee and the work done by the Provincial Auditor. It is not in my purview to order anybody—not even the member—to do these kinds of things.

WELFARE PAYMENTS

Mr. R. F. Johnston: Mr. Speaker, my question is for the Premier about the speech he did not give last night. In that nonspeech—

Hon. Mr. Davis: It was yesterday morning at 8:30.

Mr. R. F. Johnston: I thank the Premier. In that speech, the Premier is reported to have been proud of the fact that we are now paying a lower percentage of our gross provincial product than we did in 1975. In that context, today is the anniversary of the last announcement of a welfare increase in Ontario, October 21, 1982. When are we going to receive notice of a new increase and what are those levels going to be?

We surely know that those people have lost something like 25 to 30 per cent against the cost of living in the past couple of years. Does the Premier not think it is time to use part of our gross provincial product to allow those people to live with some semblance of dignity?

Hon. Mr. Davis: Mr. Speaker, that matter is currently under review.

Mr. R. F. Johnston: I am pleased to know it is under review. I hope we will get a systematic change.

As the first minister must be aware, a number of municipalities and the Association of Municipalities of Ontario have requested that the government consider doing what most other provincial governments of this country do: to assume, with the federal government, 100 per cent of the cost of general welfare assistance. Will this be part of that review? Will he be announcing a decision, and when?

Hon. Mr. Davis: I cannot guarantee that this is part of the review. This has been a request from the municipalities. I am always intrigued how the honourable member wishes us to follow activities in other provinces when it suits his interests. However, if we were ever to follow the activities of some other provinces in some other areas, he would be the first one on our backs.

Mr. Conway: Mr. Speaker, does not the Premier of this province think the time has come to exercise greater restraint on the backs of the Family Compact—the Gwyn Williamses and the Donald Martyns of this province—and to ask less of the underprivileged of this prov-

ince, who have underwritten far too much of this government's restraint programs to date?

Hon. Mr. Davis: Mr. Speaker, I know the honourable member loves to use rhetoric, etc. I will not go into how he is so reluctant to be critical of his federal colleagues, who have their own family—much larger than ours, I should tell him. In terms of our sensitivity to the lower-income people in this province, we have always recognized that responsibility and obligation and we have discharged it in a sensitive manner for many years and will continue to do so.

Mr. R. F. Johnston: In that context, given that year over year in Hamilton the welfare rate is 30 per cent above the welfare rate last year, in Metro it is 15 per cent above and in Thunder Bay 24 per cent more people were on welfare than last year, will the Premier guarantee us today in the House that these people will not be caught in the restraint package that will be coming forward but will, like his minimum wage decision now reported, be above that rate, recognizing they have greater need than many of the rest of us in society?

Hon. Mr. Davis: I can only say that the review is going ahead on the basis of need or necessity and is being done with sensitivity. While he will never acknowledge it, the restraint package last year took into account those people on the lower end of the income scale; it did. I know he never understood that. I can remember the rhetoric here in the House, how people were going to be so disadvantaged and the inflation rate was going to be around eight per cent. Our figure, in terms of the public service, was around five.

Is he prepared to acknowledge today that our guess was closer than his and that, with the rate of inflation at five per cent, the people he says were going to be so seriously affected by the restraint package last year, as it turns out, are not too far off the actual rate of inflation? Is he prepared to stand up and acknowledge that today? Of course not.

WHITE FARM EQUIPMENT CANADA LTD.

Mr. Nixon: Mr. Speaker, I would like to put a question to the Premier. With the Minister of Industry and Trade (Mr. F. S. Miller) unable to come into the House for the last two weeks, would the Premier report to the House and through the House to the 1,000 unemployed people in Brantford who are waiting patiently

for a disposition of the continued receivership of White Farm Equipment?

The Premier is aware that Ontario had advanced credits and cash to the extent of \$7 million to this company. What can we report to the unemployed people, who are rapidly running out of resources, as to the prospects of the company being re-established as a working organization with some employment at least? In the alternative, what disposition does the government contemplate will be made of the assets so the taxpayers are not going to be losers all the way around and so the workers are going to have some prospects in the immediate future?

Hon. Mr. Davis: Mr. Speaker, I am aware of the interests of the member in this question and I had anticipated a question yesterday. There was not much I could tell him then and there is not much this morning, but I will tell him what I know. The member for Brantford (Mr. Gillies) is also very involved in this. As I understand, certain proposals were made to the receiver on Monday or Tuesday. The proposals have been assessed; they are being considered now by people in the government of Canada. Hopefully, there will be some determination within the very next few days.

I do not want to hold out any false optimism because we are only involved in being informed of this situation. I feel some measure of optimism, but I do not want that to be translated into a statement by me saying the problem has been solved. I can only say to the honourable member that we are being kept informed. The matter is under consideration by the appropriate people in Ottawa, relative to the proposals that were made to the receiver.

Mr. Nixon: Could the Premier explain why, since we are involved in this to the extent of seven million taxpayers' dollars, we are not taking some sort of a leading role, rather than a passive role, in moving this thing forward to the benefit of the community of Brantford and the workers who are so dependent on White Farm Equipment?

Hon. Mr. Davis: I hope the honourable member understands that there is a certain measure of confidentiality involved in these discussions. I do not purport to know all of the intricacies and details. I think it is probably apparent to the honourable member that one or two of the proposals will involve, or could potentially involve, the decision, say, of the Foreign Investment Review Agency, which is within the federal jurisdiction.

I can assure the honourable member that we are being asked for our views. We are giving as much impetus and support to this as we can, but in terms of the ultimate decision, it probably rests, not with the government of Canada per se but with perhaps an agency of the government of Canada. The moment we have any further information I will be delighted to share that with the honourable member and members of the House.

10:50 a.m.

Mr. Gillies: Mr. Speaker, would the Premier reassert the opposition of the government of Ontario, as already expressed by officials of the Ontario Development Corp., to the Buhler proposition which would see the assets and jobs of White Farm Equipment transferred out of Ontario to Winnipeg, Manitoba?

Hon. Mr. Davis: Mr. Speaker, not only would I be delighted to reiterate that position, but I would say to the member for Brantford we have always adopted a position that would give encouragement to the retention of employment opportunities in the city of Brantford. It is not just a question of being opposed to something; it is a question of being in support of something that we think will be meaningful to the citizens of that community.

PLANT CLOSURES

Mr. Mackenzie: Mr. Speaker, I have a question of the Minister of Labour. Is the minister aware that Canada Packers' share prices are up 76 per cent from last year, its first half earnings up 77 per cent; and that Canadian General Electric's first half dividends are up 20 per cent, its share prices having doubled in the last half year? At the same time, Canada Packers is getting rid of 950 workers and CGE more than 400 workers.

When the minister compares the fate of the investors with the fate of the workers, does not the social justice involved bother him? Does he still believe it is appropriate for the Minister of Labour to make comments, such as he did in the *Toronto Star* on October 13, that he did not want to or would not consider additional legislation because it would be interfering in the private enterprise system?

Hon. Mr. Ramsay: Mr. Speaker, as I indicated in this House yesterday and have done so on previous occasions, the closure of plants has been the most troublesome matter before my ministry during the 18 months I have been there. As I indicated also, most of the plant closures a

year ago dealt with insolvencies, receiverships and bankruptcies. This year, to date, most of the plant closures have been a matter of rationalization, which is even more difficult to wrestle with.

I would like to repeat what I said yesterday, though, that there seems to be—and I say this again in a guarded way—some light at the end of the tunnel. The number of employees affected and the total number of plant closures have decreased by about 50 per cent in the period from January to August of this year, as compared to January to August of last year.

The member for Hamilton East has asked me whether I would be interested in introducing legislation that would provide for disclosure and so on. I really do not think that would help the situation whatsoever. I am being consistent with what I have said before, that I have no intention of introducing that type of legislation. I believe it would be a disincentive for industry.

While I have to deal with the problems of those people who are laid off, I have to deal with the problems of those who are working and the creation of jobs in this province as well, and a balance has to be maintained.

Mr. Mackenzie: It would appear that we have more a minister of industry than we have of labour. The corporate rationalization in the case of CGE and Canada Packers and so many other companies that we have had before us in the last year or two usually means increased profits and a leaner and meaner approach for these companies, but it is always the workers who get the leaner side.

If the minister is not prepared to reactivate the committee on plant shutdowns, is he prepared to set up a committee of this House to take a look at measures that might be taken to assure that workers are not always the losers in terms of the corporate rationalization that usually results in healthier companies? In many cases these workers have given their lives to the particular companies. Is he prepared to see that something is done so they may share in the benefits of corporate rationalization?

Hon. Mr. Ramsay: Certainly, I would give that consideration. May I also say, however, that I would welcome suggestions, and I say this sincerely in a nonpartisan way, from the members of the third party as to how we could go about dealing with these very serious matters of severance and layoff. I will accept advice from anywhere and look at it in a most serious manner.

BEEF PRODUCTION

Mr. Elston: Mr. Speaker, I have a question for the Minister of Agriculture and Food. Does the minister agree with his deputy minister, Mr. Duncan Allan, when he tells beef producers from my vicinity of the province that he is prepared to tolerate an elimination of 50 per cent of the beef producers in Ontario?

Hon. Mr. Timbrell: Mr. Speaker, with respect, I think the honourable member has taken the remarks out of context. I had a chance to talk to the deputy about it last week. I think it arises out of a conversation he had with some producers at the ploughing match at Richmond about three weeks ago.

If one looks at what has been happening in the beef industry, there has been a reduction in the number of operators going back over the last 10 or 15 years. There has been a significant reduction in the numbers of cows in the province and the production of calves, linked, I suppose, directly to the reduction of better than 20 per cent in the consumption of beef in the last five years. I do not really think my deputy was predicting or saying he would tolerate as much as—

Mr. Elston: The question is, would the minister?

Hon. Mr. Timbrell: To answer the supplementary, which is not on the record, my goal is to find ways to sustain the industry we have and to find ways to improve upon it in the future.

Mr. Elston: I wonder if the minister can tell us how much it is going to cost this province, the federal government and the beef producers of this province to maintain themselves in the stabilization program which he has agreed to on the deputy minister level, as I understand it, and from whence the funds for that program are going to come?

Hon. Mr. Timbrell: The funds will come from the taxpayers of Ontario, at least our portion of them will. I cannot at this point—I could but I will not—give him the numbers because I think that should wait until we have the meeting of the ministers of agriculture which I asked the federal minister 10 days ago to call as soon as possible.

I assume the member got a copy of the note I sent to his friend the member for Huron-Middlesex (Mr. Riddell) in which I gave him the phone number in Ottawa for the federal minister. I would hope that each member who has an interest in this matter will join me in talking to him to make sure that meeting is held as soon as

possible. Once the meeting is held and once the agreement is finalized by the ministers, I would be happy to share all those details, but the cost will be considerable.

TERMITE CONTROL PROGRAM

Mr. Philip: Mr. Speaker, I have a question for the Minister of the Environment. The minister will no doubt be aware that in 1982 his ministry issued a green paper proposing reduced grants to municipalities for termite control. Since then many municipalities have used up their funding and some never received any funding in the first place.

Since the problem of termite infestation is increasing, what assurances will the ministry give that increased funding will be forthcoming for cities like Etobicoke, which is experiencing problems in the south end, and Toronto?

Hon. Mr. Brandt: Mr. Speaker, I am delighted to have an opportunity to respond to that question and to indicate to the member that over the course of the past two years the amount of money my ministry has contributed towards the termite control program has doubled from some \$250,000 to \$500,000.

We are looking at a revision of that program. The policy is under active discussion, and I will be discussing it with the municipal officials as well because, as the member is aware, it is a program that involves not only the province, but our co-ordinated program with the municipal levels of government in addition to that.

Mr. Philip: As a reminder of the seriousness of this problem which his ministry has been sleeping on since 1982, I would like to provide the minister with a piece of wood destroyed by termites in the lakeshore area of Etobicoke. Perhaps he can put it under his pillow at night and sleep on it. There are no termites in it, so he does not have to worry about infesting himself.

I would ask the minister if he agrees with the recent statement by the Etobicoke building commissioner that once insects take—

Interjections.

Mr. Philip: I am sorry if this question is boring the members opposite.

Once insects take hold, as they have done in the Lakeshore area, the city of Etobicoke building commissioner takes immediate action to stop the infestation from spreading. The minister has known for two years there was a major problem. Can he tell us why he has not commissioned a major study to find out exactly the extent of the problem and what action

should be taken by his ministry to stop it?

11 a.m.

Hon. Mr. Brandt: Before laying those kinds of accusations on the ministry, I think one should do a little more research. If the honourable member had done that, he would know we have determined exactly the locations of the infestation that have occurred to this point. Our ministry is, in fact, moving on it.

Instead of simply laying the accusations on this side of the floor, the member could help if he went to the municipalities and encouraged them to implement the block application we have been suggesting. This would eradicate the termites in certain sectors of the community. Part of the problem is that the municipalities have been wanting to go about clearing up this problem on a house-by-house basis. I will speak slowly to try to explain the situation.

Mr. Foulds: Don't trip over your tongue.

Hon. Mr. Brandt: The reality is that there must be a comprehensive program if one is going to eradicate the termites in infested areas of Metro Toronto.

I feel it only proper that I should thank the honourable member for this great woodcarving he sent over to me. I will have it reviewed by my staff and will certainly cherish it as a very opportune gift this Friday morning.

Mr. Philip: Mr. Speaker, on a point of order: To correct the record, there have been no provincial studies. The ministry has relied entirely on American studies and I hope the minister—

Mr. Speaker: Order.

HIATUS HOUSE

Mr. Wrye: Mr. Speaker, I have a question for the Provincial Secretary for Justice.

The minister is aware the complaints support program operated by Hiatus House in Windsor was Ontario's first legal support program. Since the program began on a pilot basis back in 1981, more than 400 women have been helped and more than 200 charges have been laid against their assailants.

However, despite its overwhelming success, the sword hangs over the head of Hiatus House. It will close on December 1 unless funding is found. A funding proposal was submitted to the minister's predecessor earlier this year for \$169,000 for two and a half years. Since the buck has now been passed to him, can the provincial secretary say where the proposal stands at this moment?

Hon. Mr. Walker: Mr. Speaker, we are awaiting the final evaluation of Hiatus House being

conducted by the federal government and some provincial officials before deciding whether or not funding should be continued.

One should keep in mind that this project was started by the federal government. That jurisdiction is now bailing out of it and saying "Okay, province, you have to pick up the cost of this." That is quite usual and I think we really should be condemning that type of approach. However, the fact is that Hiatus House does seem to be providing a very good service. From many accounts, there seems to be a very valuable and useful effort going on there and many women are being helped in the process.

All of this has some connection with the whole issue of battered women. That issue will be before us next week as we make our pronouncements in response to the government's initiatives that will be taken relative to the report that was issued by the standing committee on social development last year.

That report will be coming forward next week and the evaluation being conducted by the federal government will be completed within a matter of a month. The federal government was to have bailed out at the end of September but it gave an extension for a period of months. The fact is that the Hiatus House is still in business and is still providing a service that many continue to consider very valuable.

Mr. Wrye: What the provincial secretary did not bother to mention in talking about funding was that a unanimous report of the social development committee last year said that the province should be involved in funding victim advocacy clinics.

Given that there are reports that the preliminary evaluation of Hiatus House was a positive one—I think that is very clear—and given that there has been no dispute as to the value of this service, which has been given the support of the crown attorney, the chief of police and a large number of Windsor's legal community, can the minister tell me that, should the evaluation be positive, he intends to recommend the funding of Hiatus House for \$169,000 for two and a half years? Or is it going to be another victim of this government's restraint program, which restrains these kinds of services while rewarding its friends?

Hon. Mr. Walker: We have no intention of destroying any of the victim advocacy clinics. We have no intention of predicting what the evaluation will produce; we will have to see what it is. If it is a positive report, we are going to be favourably disposed to accommodating Hia-

tus House, whether it is the precise amount that has been proposed or whether some other funding formula has to be determined. At the moment we are waiting for the evaluation. We will see much more of that unfold next week when our report, our response and our initiatives are tabled in the Legislature.

GROUP HOME ACCOMMODATION

Mr. McClellan: Mr. Speaker, I have a question of the acting Minister of Community and Social Services in response to the six-page bafflegab manifesto he read at the beginning of proceedings today. I want to ask the minister if he will caution himself not to take the advice of his minions and boffins and try to pretend that there are not serious problems around accommodation for the mentally retarded in Metropolitan Toronto.

Does he not understand that the Metropolitan Toronto Association for the Mentally Retarded has indicated that there are 437 people on its waiting list in Metro, regardless of the gobbledegook in the statement? What advice does he have to give to my constituent whose case prompted the question in the first place, who has been waiting for group home accommodation since December 1982? Is he supposed to live under this piece of paper?

Hon. Mr. McCaffrey: Mr. Speaker, as I was reading the statement I heard the member for Bellwoods say with reference to the waiting list that they did not all represent immediate need. I heard him say, "I know that." If he thinks that on behalf of the Minister of Community and Social Services (Mr. Drea), in what I hope is the short period of his absence, we are going to go back and forth exchanging numbers, I am sorry, he is wrong. We are not going to do that.

I have a suggestion. We can pick a time Monday morning, six or seven o'clock. He can come to my office or I will go to his office. We will meet with the appropriate people. Let's go to the centre, let's look at the list, let's go through it one by one. It is not fair to the people on the waiting list or to this assembly in view of the time we are consuming here in exchanging numbers back and forth.

I am prepared to meet with the member at the earliest opportunity Monday morning to deal with the specific people on the list, and with him and with the assistance of the people in the ministry we will go through each one.

Mr. R. F. Johnston: Mr. Speaker, there is no need to sit down around this list. Is it not a fact that his own ministry people admit that people

who have been on the waiting list for two years in Metro in crisis situations, whose families can no longer support them, are not able to be placed in group homes? At the same time he is placing people from Pine Ridge, where he tried to deinstitutionalize them, into those homes; he is putting those people ahead of people who have been waiting for two years for accommodation in Metro. Is that not a fact?

Hon. Mr. McCaffrey: Mr. Speaker, going back to last week, it is a fact that many of the residents in the six named institutions that have been marked for closure are being moved to other institutions; that was part of the exchange last week. Further, it is a fact that the ministry made a commitment that no institution would increase in the number of its patients because of the closure. It follows, then, that some people in existing institutions—not the six named institutions—will be moved to other facilities in the community to meet those objectives.

11:10 a.m.

Mr. Wrye: Mr. Speaker, I want to go back to the question my friend asked because it was what I was going to ask. The point is that when people are moved from Pine Ridge they are going to be moving into Metropolitan Toronto, into those homes that are needed by people who are on the waiting list of MTAMR and a number of others.

Mr. Speaker: Question, please.

Mr. Wrye: Does the minister think this is an appropriate response on the part of the ministry of which he is acting minister, or does he think that is simply going to lengthen the already long waiting list suffered by the people in Metropolitan Toronto?

Hon. Mr. McCaffrey: Mr. Speaker, I think the real impact will be that there will be within the community, as there is within the ministry, an acceleration in finding alternative accommodation.

BEEF PRODUCTION

Mr. Pollock: Mr. Speaker, I have a question for the Minister of Agriculture and Food. Will he assure this House that under the new proposed beef financial assistance program he will continue to sell beef under the free market system?

Hon. Mr. Timbrell: Mr. Speaker, I can respond to that in two ways, based on rumours that have come to my attention from the farm community. One is that we are contemplating introducing or imposing a marketing board, a supply man-

agement system. I can assure the honourable member that is not the case. We are not about to impose supply management.

Second, a rumour has come to my attention that the stabilization program on which we are working with the federal government and the other provinces is somehow tied to rail grading. I can assure the member that has not been part of any of those discussions.

Mr. Swart: Mr. Speaker, is the minister then telling this House that if the beef producers should opt for supply management he would not support that and would not permit it?

Hon. Mr. Timbrell: That is not what I said, Mr. Speaker, and the honourable member knows it very well.

The legislation in this province which has been on the books since 1937 is very clear. The producers of any commodity can have a vote on the subject. Our policy is that where two thirds or more of the producers of any particular commodity vote for supply management, there is a process that then begins to implement it.

I must say, though, and I have said this repeatedly to cattlemen's groups across the province, that in the case of beef, and hogs for that matter, we are talking about North American commodities.

Mr. McClellan: Go ahead.

Mr. Foulds: Go ahead; carry on.

Hon. Mr. Timbrell: Sorry; did I pique the member's interest in this? Good.

We are talking here about North American commodities. Frankly, in western Canada the opposition to supply management is so intense that it is hard to conceive how we could end up with a supply management system for hogs and cattle in this country.

Mr. Elston: Mr. Speaker, I am trying to flesh out this red meat program a little. Since the minister indicated earlier he was intent on preserving the level of production here in Ontario, I presume, can he advise what level of production in terms of numbers of producers he wants to see maintained in this province, or will he indicate what level of pounds of production of beef he is willing to see here in Ontario under the new program he has so long spoken about?

Hon. Mr. Timbrell: Mr. Speaker, there are several aspects. First, for 18 months now we have been working on the stabilization proposals. Essentially, that is aimed at trying to stabilize the existing industry.

We have also been examining a wide range of other issues that affect the beef industry, realiz-

ing and recognizing that the stabilization program, in and of itself, will not be the cure-all. It is part of the answer to the problems of the red meat industry, just as the beginning farmers assistance program is part of the answer, just as the Ontario farm adjustment assistance program is part of the answer, and just as a number of other things we have done attack basic structural problems.

The member will recall that we held a conference in the spring of this year—I believe it was April 25 or 26—at which we released a series of studies we had done on the red meat industry, examining everything from producer preferences to consumer preferences, the processing industry, the matter of the supply of calves and every aspect. We followed that up with seven regional meetings around the province, chaired by one of my assistant deputy ministers.

We are following that up with further discussions with individual groups of cattlemen and red meat producers and we will be laying before the House—I hope in the not too distant future—some further ideas we have not only to keep the existing industry but also to build and improve on what we have so we will have a stronger red meat industry in the future.

SHORELINE PROTECTION

Mr. Bradley: Mr. Speaker, I have a question for the Treasurer. For some time, a number of municipalities along the Great Lakes have been requesting funds from the provincial government to assist them with shoreline protection projects, and even though the water is not at a high level at present, this erosion continues each year.

In view of these facts, could the minister indicate to the House whether he has any plans to provide new funding for shoreline protection? Could he outline to the House his long-term plans for assisting municipalities, probably in conjunction with the federal government, in their shoreline protection projects?

Hon. Mr. Grossman: Mr. Speaker, I can report that we are in the middle of our next year's allocation process right now. As the member knows, we have been trying to do that at an earlier stage this year in order to give the municipalities better advance information upon which to plan.

I would hope that in the next year or so we will be able to do something in that area, without making a commitment right now. One of the reasons I can say that is because, as I look over our finances and our financial state, while we

still have a very difficult year yet ahead of us, none the less we have done relatively well in terms of controlling our spending in the last couple of years so that we are poised, not to have to wait three or four years as some other governments will have to before trying to mount some new initiatives.

My colleagues have been able to bring some new initiatives to the allocations process this year and we might have some for 1984-85, which is earlier than many people would have expected.

ELECTION ANNIVERSARY

Hon. Mr. Timbrell: Mr. Speaker, on a point of order: May I just take a minute to recall that 12 years ago today, October 21, 1971, was an equally pleasant fall day and I would like to take this opportunity to congratulate my colleagues in the class of 1971, from all three parties, on this our 12th anniversary as members of the assembly.

PETITIONS

SWORN TESTIMONY

Mr. Peterson: Mr. Speaker, I have a petition and I am very happy that the Attorney General (Mr. McMurtry) is in the House, because I know he is sensitive to these matters.

I have 14,700 names which were gathered in response to a recent Middlesex county court case of alleged sexual abuse involving a grandfather and his 12-year-old granddaughter. I know the Attorney General is aware of this.

One of the issues at stake was whether or not the testimony of the 12-year-old girl could be admitted as sworn evidence when there was some question of a cognizance of the traditional biblical oath. I recognize this is a complicated legal question, but I wanted this House to be aware of the very high degree of feeling in this matter. The petition reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That consideration for both a biblical and a civil oath be entertained by the Canadian justice system and that alleged victims be afforded at least the same rights and courtesies as alleged offenders in the pursuit of justice."

I know the Attorney General will convey this message to his federal colleagues as he undertakes discussions on this complicated matter.

Hon. Mr. McMurtry: Mr. Speaker, I share the concerns of those who have signed the petition. The Leader of the Opposition might be inter-

ested in knowing that this was a matter of some discussion in the estimates as recently as yesterday and it is a matter that is being addressed.

11:20 a.m.

INFLATION RESTRAINT LEGISLATION

Mr. Peterson: Mr. Speaker, there is one petition I am proud to introduce on behalf of the people in St. Andrew-St. Patrick. It appears the local member was not prepared to introduce it and I was asked to do so.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

There are contained herein 160 signatures, on behalf of the great people of St. Andrew-St. Patrick.

While I am on my feet, I have another petition. It says the same thing, but I would like to read it into the record again.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

A total of 371 names of teachers is contained therein from London, Ontario: H. B. Beal Secondary School, Central Secondary School, Forest City School, Montcalm Secondary School, Thames Secondary School, Westminster Sec-

ondary School and G. A. Wheable Secondary School.

Mr. Wrye: Mr. Speaker, I have a petition which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by 11 teachers who teach in areas outside of but live in the riding of Windsor-Sandwich.

Mr. Ruston: Mr. Speaker, I have a similar petition with eight names on it from people in different parts of the area.

Mr. G. I. Miller: Mr. Speaker, I too have a long list of 116 names from the Haldimand elementary school system. Their petition reads:

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The schools represented are: Dunnville Central Elementary School, Dunnville Senior Public School, J. L. Mitchener Elementary School in Cayuga, Walpole South Elementary School, Walpole North Elementary School, Northview Elementary School in Hagersville, Canborough Central Elementary School, Seneca Unity Elementary School, Seneca Central Elementary School, Fairview Avenue Elementary School and Caledonia Centennial Elementary School.

REPORTS

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. Kolyn from the standing committee on administration of justice reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of the Attorney General be granted to Her Majesty for the fiscal year ending March 31, 1984:

Law officer of the crown program, \$3,664,500; administrative services program, \$54,318,000; guardian and trustee services program, \$10,082,000; crown legal services program, \$27,861,000; legislative counsel services program, \$1,696,000; courts administration program, \$126,414,000; administrative tribunals program, \$14,424,000.

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Barlow from the standing committee on resources development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of the Environment be granted to Her Majesty for the fiscal year ending March 31, 1984:

Ministry administration program, \$12,065,200; environmental planning program, \$40,468,700; environmental control program, \$36,599,800; utility planning and operations program, \$223,734,800.

INTRODUCTION OF BILL

CENTRAL TRUST COMPANY AND CROWN TRUST COMPANY ACT

Hon. Mr. Elgie moved, seconded by Hon. Mr. Baetz, first reading of Bill 97, An Act respecting Central Trust Company and Crown Trust Company.

Motion agreed to.

Hon. Mr. Elgie: Mr. Speaker, members will recall that in February this year the Crown Trust Company Act, 1983, was passed to empower the registrar of loan and trust corporations to dispose of the assets and liabilities of Crown Trust Co. and to appoint a substituted fiduciary to act on behalf of Crown Trust Co. in respect of that company's fiduciary obligations.

Pursuant to that power, an agreement was entered into with Central Trust Co., a copy of which was tabled in this House. The agreement contemplated Central Trust Co. assuming the intermediary and fiduciary responsibilities of Crown Trust Co. in return for certain payments of compensation to Crown Trust Co. The agreement with Central Trust, coupled with the Crown Trust Company Act, 1983, enabled Central Trust to take over the intermediary business of Crown Trust, but did not provide for the transfer of fiduciary responsibilities to Central Trust in other than its capacity as an agent of the registrar of loan and trust corporations. This result was intentional, as the transfer of

fiduciary responsibilities requires the enactment of enabling legislation in each province of Canada where Crown Trust was carrying on business.

We believe we have now put in place processes that will lead to the passage of appropriate legislation in other jurisdictions, and it is therefore appropriate that comparable legislation now be enacted in Ontario. This legislation is the logical consequence of the agreement under which Central Trust undertook the administration of the intermediary and trust business of Crown Trust Co.

It therefore follows that the purpose of this bill is to substitute Central Trust Co. for Crown Trust Co. in respect of the Crown Trust agency and trust business and thereby vest in Central Trust Co. all real and personal property held by Crown Trust Co. in its estates, trust and agency business so that the rights and obligations of those who have had such business dealings with Crown Trust Co. can now deal directly with Central Trust Co.

This bill will not apply to properties situate outside of Ontario held by Crown Trust Co. for its own use, nor to property held by Crown Trust Co. as trustee, for which Crown Trust is not subject to an Ontario court. As previously stated, these assets and obligations will be dealt with by appropriate legislation in each province where Crown Trust is carrying on business. It will also not apply to the funds received for guaranteed investment by way of deposit or guaranteed investment certificates, as these funds were previously transferred to Central Trust under the authority of the Crown Trust Company Act, 1983.

11:30 a.m.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MINISTRY OF INTERGOVERNMENTAL AFFAIRS

Hon. Mr. Wells: Mr. Chairman, in presenting these estimates, I would like to make a few opening remarks. Over the next few days, we will have a great deal of time for full discussion of the various components of the activities of the Ministry of Intergovernmental Affairs. However, in this leadoff debate, I would like to review several matters which I consider to be of special importance within the general purview of our ministry, matters which I think are of special importance to Canada at this time in our

history, both in the federal-provincial area and in our relationship with the United States of America.

Over the past six months we have seen the beginnings of a return to a fresh sense of optimism in Canada, a renewed feeling of harmony and goodwill among Canadians and some clear signs of improved relationships between governments. This trend towards a sense of national renewal is in contrast to the preceding five years, a period during which strained relations between the various regions, provinces and governments of Canada seemed to be at the forefront of Canadian politics.

Major national issues—we all know them—ranging from constitutional reform, the constitutional reform process and so forth, to energy policies, to the threat of Quebec separation or sovereignty-association, often tended to focus upon division and differences of opinion. Of course, the economic difficulties which we have all shared cast a grey shadow over these and other national and regional concerns.

Today, I believe the harsh edge of these concerns is largely behind us and there are unmistakeable signs that the renewal process has begun. We now have the challenge and opportunity to return to the harmony and the drive which has long been the essence of our Confederation. To give this trend some support and some momentum, what this country needs now is a renewed thrust by all governments towards more harmonious and co-operative relations.

I am encouraged by what I see around me. For example, the recent Premiers' conference set the stage for optimism and constructive solutions to some of the problems facing all Canadians. It has been years since we have seen such an absence of recrimination among governments and, equally, such unanimous optimism about the potential of our economic strength if we all plan and adapt wisely for the future. Put very succinctly, the mood among governments, and among Canadians today, is promising.

I have just returned from a visit to Alberta, during which I met with my counterpart, the Alberta Minister of Federal and Intergovernmental Affairs, the Honourable Jim Horsman, as well as with other cabinet ministers, members of the Legislature, senior business people and the media in that city.

Certainly there are still westerners who continue to view Ontario and central Canada with

suspicion, but generally I was most favourably impressed and encouraged by the evolving attitudes and renewed commitments that are becoming evident again in the west. There is an open and obvious willingness to look for new ways of co-operation between our provinces that has not surfaced to the same degree in recent years.

This positive mood is also reflected in other provinces. Let us look at Quebec, for example. I think Quebec made very useful contributions at the Premiers' conference this year. Premier René Lévesque made a point of noting how constructive the meeting had been. Ontario has had an ongoing dialogue with Quebec. Despite our basic disagreement—and we would still have that basic disagreement with the separatist policies of the present Quebec government—we have worked hard to maintain and improve lines of communication between cabinet ministers and officials in both our provinces in addition to the consultations arising from regular federal-provincial and interprovincial conferences.

We believe it is essential to maintain such liaison, and I am sure the members of this House would agree with me on that sentiment. We think it is essential to let the people of Quebec know and understand that we continue to see and want them as a vital part of our country.

Canadians are, if nothing else, realistic. For this reason alone, it is instructive to reflect upon these past five years in Canada and upon the challenging and promising position that I think we are in today. Wherever you go in Canada today, you can sense that people have had an opportunity to reassess the kind of heated feelings that surfaced over recent years. Most people have come to realize that we are all Canadians and that we are all going to have to work together to solve our country's problems and to improve our economic situation.

But maybe the most important message of all is the clear reminder that uniformity has never been, and never will be—and I underline that—the essence of the strength and vitality of Canada. Within our Confederation, the future of Canada lies in the distinctive status and collective strength of our various regions and provinces, held together in the framework of a strong national identity.

In our new Constitution we clearly recognized that Canada is a bilingual and multicultural nation. Having accomplished this, I now see two top-priority matters for Ontario and for Canada,

matters that impact very directly upon our regional diversity and that can help inject strength and vitality where divisiveness continues to fester.

One of these priorities has to do with the genuine aspirations and concerns of our friends in the great province of Quebec. The other has to do with what I view as a crucial need at the federal level, a need to increase regional influence on national decision making and to facilitate consideration of national interests at the provincial level.

First, some observations about Quebec and its place within a strong Canada. I know full well that some people believe that "the Quebec question" has preoccupied Canadians' attention too much. While I understand the sentiment behind this view, I am none the less convinced that in the interests of a strong Canada, we must continue to reach out in a spirit of understanding and accommodation.

Let us remember that the people of Quebec remain divided about the course of their political future. I believe the majority in Quebec believe that their future lies within Canada, and even though the vitality and strength of the pro-Canadian forces in Quebec have been very evident during this past week, there are still concerns among them that we in the rest of Canada must address. At the same time, we must remember that support for separation in Quebec is still in the minds of many.

On the political stage, the present Quebec government remains committed to its option of political independence and is committed to campaigning in the next election on the question of Quebec's separation from Canada. The same government has not accepted the legitimacy of recent constitutional reforms. It continues to portray the new Constitution of Canada as an attack on the fundamental powers of the Quebec government. It even sees the Constitution as an attempt to block the efforts of francophone Quebecers to ensure their cultural, political and economic survival.

It is against this backdrop that we in Ontario and the rest of Canada need to chart a course that will in the end strengthen our nation, not fractionalize it. I would like to see a renewed partnership between English-speaking and French-speaking Canadians, a partnership based upon mutual respect and trust, grounded in our historical traditions and reinforced in our constitutional arrangements.

I suggest we adopt two principles to guide

renewed constitutional discussions. The first principle, I believe, is that we should explicitly acknowledge in the Constitution of Canada the historical and contemporary reality of Canada, namely, that more than a quarter of the Canadian population speaks French and that more than 80 per cent of our French-speaking citizens live in Quebec.

11:40 a.m.

To me, this is a very important point. After all, as I said a few minutes ago, the multicultural nature of Canada is entrenched in our Constitution. It is there in several sections of the new Constitution. Therefore, I would suggest that our English-French duality should likewise be entrenched.

The second principle is that we should be willing to consider further ways in which Quebec can be assured constitutional powers in recognition of its special role as guardian and leading spokesman for the French language and culture in Canada. This is not a revolutionary thought. There are many precedents already by which one province or another has different powers and programs to recognize special needs or circumstances.

Already our new Constitution provides for the right of provinces—and I underline this—to opt out of changes that would diminish the powers of a province, changes to the distribution of powers in our Constitution to which that province does not agree. In issues involving culture and education, such opting-out decisions must be accompanied by appropriate fiscal compensation if they are in the cultural and educational area.

I believe there is room in future negotiations for some change in this clause to ensure that Quebecers receive greater assurance that any powers of their provincial government that are diminished are not in danger of being diminished without their consent. The point is, I do not believe we and the rest of Canada need to be so reticent about acknowledging Quebec's special challenge and role in preserving and enhancing the French language and culture as a vital element in our national fabric.

Today, obviously, I am not attempting to be very specific about the constitutional and political changes which a new sense of English-French partnership might imply. Rather, my intent is based upon a sincere belief that our Quebec compatriots must realize that the province of Ontario and the government of Ontario are open to dialogue and that they must under-

stand what the basis for a new dialogue might be.

Similarly, I would hope that these thoughts might also be viewed with a fresh sense of purpose in other predominantly English-speaking provinces and that they, too, will reflect upon the possibility of a renewed and positive partnership with French-speaking Canada.

The other area I want to address today is also related to the overall objective of harnessing our nation's provincial and regional diversity into a strong and positive national plus for Canada.

There has been in Canada, perhaps inevitably, a tendency for the federal and provincial governments to carry out their respective functions at too great an arm's length. In a major sense this relates back to the original division of powers and responsibilities that were assigned to each level of government in 1867. As things have evolved, there are ambiguities, grey areas and even duplications—not to mention purely political motives that arise from time to time.

Today, too often for our own national good, Canadians frequently witness situations in which two levels of government are seen to be arguing over matters which one would think could have been resolved by means of more open and co-operative consultation and discussion in the first place. Many thoughtful Canadians have been considering this particular problem and ways to reform our national institutions and practices in order to ease some of the problems expressed by various regions and provinces across this great country.

There is no doubt in my mind about the need for a strong central government representing all Canadians on matters of national interest. I want to emphasize that very clearly and strongly at this point. This is a view and position I have always most strongly supported. At the same time, I think we must realize there is a growing feeling that ways have to and should be found more effectively to accommodate the fact that we are a confederation, to recognize the fact of our federal-provincial makeup.

To my mind, there are four main objectives which speak to the need for reform in this area: to moderate regional and intergovernmental conflicts; to ensure that regional concerns are properly addressed in national decision-making; to facilitate consideration of national interests, the interests of the central government, at the provincial level; and to encourage consensus for operation and co-ordination among all

governments.

A mistake which I believe many people have made and which has hindered the development of solutions has been to focus entirely on the reform of one existing institution, and that existing institution is the Senate. Frankly, I sincerely believe the very best starting point for reform our institutions in this country would be to abolish the Senate altogether.

A body such as our current Senate is no more necessary to the work of the House of Commons than provincial upper houses were to provincial legislatures. As members of this House are well aware, some provinces in this country had upper houses and all have abolished them, most of them many years ago. I am afraid that if Canada were to adopt an elected Senate, which is a proposition proposed by many people, rather than helping things we would be adding to the difficulty of reaching consensus in Canada. We would be adding to the difficulty rather than moving to a solution.

Besides, the House of Commons, which is accountable to the electors of Canada, can surely undertake its federal responsibilities just as the provincial legislatures do in the provinces without the need of an elected upper house or some kind of quasi-appointed upper house.

Improvement of the regional sensitivity of Parliament has to come about through reforms in the House of Commons. This is the first reform that I believe is necessary and should be considered. In this regard, I have suggested on a number of occasions that it is time we looked at an element of proportional representation in the House of Commons and how that would help address the problem we are talking about. This type of reform, of course, is the responsibility of the federal government and federal parties to devise and carry out. I am not going to deal in any more length with that in these remarks.

An even more crucial need for reform, I believe, lies in strengthening the relationships between the provincial governments and the federal government in the interests of all Canadians and all regions of Canada, and in the major interest of improving the way we are governed.

There can be no doubt in the minds of thoughtful people that the time has come for Canada to move beyond the ad hocery of the present relationship between the provincial and federal governments. As a country we have grown too complex and too mature to continue to function in such a piecemeal and makeshift

fashion, especially on matters important to our nationhood and to our national wellbeing.

I believe that all Canadians would benefit if there were created a totally new intergovernmental institution composed of members of the governments of the provinces and the federal government. This body could be called the Council of Canada, the Council of the Federation, or by some other designation that might appropriately reflect its role and function.

The main thing is that this is a new and different body. This council would be a brand new type of institution, a constitutionally established intergovernmental body where the first ministers and their ministers would meet in regular sessions and on an ongoing basis, supplemented by special sessions as particular issues demand.

There would be appropriate participation by first ministers—the Prime Minister of Canada and the Premiers—by federal and provincial cabinet ministers and by other elected members from the two levels of government.

Indeed, in many important ways, this council would be a logical and formalized outgrowth of what we have come to know in Canada over the years as first ministers' conferences and, to be sure, the many other federal-provincial conferences and meetings that are at present convened but are now all convened on an ad hoc basis. That goes for the first ministers' conferences, except for those that are mandated on aboriginal rights in the Constitution. All others are there on an ad hoc basis.

11:50 a.m.

Such meetings even now are an essential thread of cohesiveness, however, in the Canadian political fabric. But they are just that, a thread, when the need is clearly for a stronger tie that binds.

There can be no substitute for interaction. Our political leaders must meet on a more regular and systematic basis. Regularity is the key. We have learned from experience that the more frequent and concerted the interaction between the two levels of government, the more likely we are to achieve agreement without undue rancour and delay, and without the atmosphere of crisis or confrontation we have witnessed much too often in the past.

A council of the type I am proposing would have appropriate constitutional powers related to federal legislation which directly affects the provinces. I suppose most such powers would be of an advisory or consultative nature. But,

without doubt, this body would also require some measure of authority to force further discussions and consultation, perhaps even alterations in legislation, with regard to certain proposed federal government legislative initiatives in specific areas that impact most directly upon the provinces.

It might be enough to require prior clearance of any such legislation through the council, leaving the official opposition in the House of Commons to pursue any of the council's issues unresolved by the federal government; or we could consider—and I think this is a very real possibility—the use of a device such as a suspensive veto.

However, I would say that it would be essential to structure the council in such a way as to avoid undue interference with the appropriate national role and jurisdiction of the federal House of Commons. In fact, by adding this provincial component to the national stage, the council would probably enhance and strengthen the role and ability of the House of Commons to act effectively and expeditiously on all matters within its clear jurisdiction.

Without, at this time, looking at the specifics related to the structure and operating practices of a council such as I have indicated, it is not difficult to envision such a federal-provincial body adding a new dimension of dialogue and co-operative consultation in Canada.

Let me say this: I believe that had such an institution existed in recent years, the sometimes bitter, rancorous debates on various constitutional issues could undoubtedly have been tempered. In a similar way, the destructive confrontation over national energy issues would not likely have become so harsh, and thus all Canadians would have benefited. Matters related to economic planning could have been discussed and expedited, I believe, in a much more favourable and effective fashion.

In any event, I believe the general concept of a formal council, in the fashion of the basic framework I have described, should be pursued as a priority for Canada. I believe that should now happen.

As in all things on such a plane, affecting, as it will, the very constitutional foundation of our nation, it is a proposal that will require exhaustive and extensive scrutiny from every angle. It is the kind of thing I believe the House of Commons/Senate committee will be looking at as it reviews the Senate. However, I believe this can be an important key to a new harmony and co-operative spirit in Canada. I hope it will enter

the mainstream of discussion relating to reform at the national level.

During the next several days there will be ample opportunity to discuss these and other federal and provincial issues. Before I conclude these remarks, however, I would like to turn for a few moments to two other aspects of my ministry's mandate, namely, international relations and our co-ordinating role in the area of French language services in Ontario.

Mr. Conway: I hear Omer Deslauriers is bored and wants to come home.

Hon. Mr. Wells: No, no.

At this point in our history there is very clear evidence that the future strength and growth of our economy will depend, in large measure, upon whether Ontario manufacturers and producers are able to compete in world markets. One third of Ontario's gross provincial product is already exported to other countries, but we must achieve an even higher percentage of export business.

This means, first, there is a responsibility on the part of the private sector to pursue export opportunities vigorously. In an increasingly competitive world we simply cannot rely on the status quo. But it also means that we as a government have a responsibility to do all we can to make sure that relations between governments are as positive and as supportive of open trade relations as possible. While this is ultimately, of course, the responsibility of the federal government, Ontario has shown on a number of occasions that this government is determined to take the lead in improving relations with our major trading partners.

Nowhere is this more evident than with the United States. Besides being our closest friend internationally, the United States of America is the market for 78 per cent of Ontario's exports. We cannot afford the luxury of having an inconsistent policy towards the United States, nor can we permit unnecessary bilateral irritants to persist and to cloud an overwhelmingly positive relationship.

In the past year the Ontario government has made a conscious effort in a number of areas to clean up and clear up some problem areas and to demonstrate in a concrete way the high value we attach to our relationship with the United States. We are glad to see that other governments are also recognizing the importance of devoting care and attention to Canada's relationships with the United States. This view is shared by many of our counterparts in other provinces, and I am encouraged to see that it is

increasingly reflected in the activities of the federal government as well.

This is not to say that our relationship with the United States has become entirely problem-free. For example, acid rain remains a problem and a challenge, and the same might be said in a couple of other areas as well. The point is that there is strong and continued willingness on the part of Ontario to foresee potential opportunities and potential areas of concern and to be prepared to deal with them in a responsible and businesslike way. I think this bodes well for the maintenance of a healthy Canada-US trade environment in which there will be excellent opportunities for Ontario manufacturers and producers.

We have not forgotten the important export opportunities that also lie outside the North American continent. In the past year we have continued our efforts to make governments in Europe and Asia aware of our willingness to pursue commercial opportunities with their countries. As this House knows, the Premier (Mr. Davis) has taken a very personal role in these efforts. In the past six months alone he has visited France, Belgium and Britain on results-oriented trade missions, and last week he returned from another one to Hong Kong, Singapore and Malaysia.

These and other markets represent significant opportunities for exports of the goods and services that Ontario is best at providing, not only manufactured goods but also our experience and expertise in education, job training and other areas that are of special interest to so many countries in the world today.

Throughout these and other efforts this ministry has been active in ensuring that Ontario is in a position to take the best advantage of the international opportunities that are open to us. It represents a high priority in the Ministry of Intergovernmental Affairs because it is quite obviously essential to the strength and vitality of this province now and in the future.

I might add here that the international relations branch recently completed a year-end review of its programs and activities. This document is entitled Ontario's International Relations: A Perspective. It was intended as a working paper, but I feel that it contains a great deal of useful information about the vast scope of Ontario's international activities that I would like to share with the members of this House.

Therefore, I am sending copies to the Clerk's table and, at the same time, I want to inform members that copies of this document are in

their mailboxes today. I think members of this House will find it very interesting and informative to read this perspective on Ontario's international relations, something that is important for this province, this country and their constituents.

Finally, in these opening remarks I want to mention the importance I also attach to my role as minister responsible for co-ordinating, improving and promoting services for our French-speaking residents.

12 noon

I might just add, in case the members have not seen it, that we have had a new appointment in the Ministry of Intergovernmental Affairs in the area of the French language co-ordinator's office, with the appointment of Louise Beaugrand-Champagne to the position of deputy co-ordinator of French language services. She will join the ministry on November 1 in this important role and will be adding strength to the operations of the co-ordinator's office. Louise Beaugrand-Champagne is now director of the translation bureau of this government and has a wide background in these areas. She will be an important addition to this ministry's operating staff.

I believe we have been making steady and substantial progress in ensuring that the 500,000 French-speaking residents of Ontario have the opportunity to receive a full range of government services in the French language. The office of the co-ordinator of French language services, as well as the Council on Franco-Ontarian Affairs which reports through me, are constantly pinpointing areas where improvements in our service structure are required and they are setting in motion methods of meeting these requirements.

This ongoing process is continuing. I believe this steady process, coupled with legislative entrenchment of minority language rights in specific acts, as we have done in the past in the Education Act and as is proposed in the new Courts of Justice Act, is making a solid contribution to bringing their government closer to the French-speaking people of Ontario.

With these remarks, I will be happy to answer any questions concerning the estimates of this ministry and discuss them fully with the members of this House.

The Deputy Chairman: The member for Ottawa South.

Mr. Roy: Ottawa East.

The Deputy Chairman: Ottawa East.

Mr. Conway: That is an unfortunate confusion.

Mr. Roy: Yes. Mr. Chairman, your colleague the member for Ottawa South (Mr. Bennett) may well be annoyed by that unfortunate comment. At any event, we will excuse you to start with.

Hon. Mr. Ashe: Now I know why you are here on Friday.

Mr. Roy: The minister can be sure of one thing—I am not here to see his pretty face. Mr. Chairman, I trust you will control the—what is he now?—Minister of Government Services (Mr. Ashe).

Mr. Conway: He took over from the member for Lanark (Mr. Wiseman).

Mr. Nixon: He can live with any deputy.

Mr. Roy: That is right. I understand he is the only person in the whole province who thinks he got a promotion in the last cabinet shift.

The Deputy Chairman: The member is speaking to the resolution before him, the estimates of the Ministry of Intergovernmental Affairs. These interjections lead us so far astray. I do apologize that I did not have your riding correct.

Hon. Mr. Ashe: One thing about my commitment here, it is full-time, not part-time.

Mr. Roy: Mr. Chairman, I accept your apology. However, I trust you will control the Minister of Government Services.

The Deputy Chairman: It is very difficult, but I will do my best.

Mr. Roy: He gets so excited I am afraid he is going to slip and fall over that tie clip of his and hurt himself. I would not want that to happen.

The Deputy Chairman: The honourable member has the floor.

Hon. Mr. Ashe: You will know where it is in the meantime; bend over.

Mr. Roy: Has he been bragging about being full-time since he got back from a trip in France?

The Deputy Chairman: Order. Does the member want to speak to the motion?

Mr. Roy: Yes, I do.

The Deputy Chairman: Then speak to it.

Mr. Roy: Mr. Chairman, as usual, the Minister of Intergovernmental Affairs has made a thorough and thoughtful address. I intend to review part of the address at different times and point out the gaps between the words and the actions, or the thoughts and the evidence.

If I may be uncritical of the minister, as I have been on many occasions, when one listens to his comments or reads through his speeches I think there is near unanimity around that the minister

is always so reasonable and always so thoughtful. There are not many things in what he has said a critic such as myself—who I hope is at different times considered to be reasonable as well—can really disagree with. What the minister has said on a variety of topics dealing with federal-provincial relations and with international relations are matters much of which we agree with.

He has made some interesting comments this morning pertaining to the abolition of the Senate and proportional representation, as to how we get representation from regions, groups, etc., as to how there would be proportional representation in the House of Commons. I intend to make a few comments about that at a later time.

If I may deal with some of the aspects of the comments made by the minister, he starts off his speech and mentions the fact that there appears to be a different mood in the country than there was in the past. This has been quite true over a number of years, especially when there were federal-provincial discussions about amendments to the Constitution. The whole process led to serious division, because at one time there was a group of provinces, in which Quebec was an active participant, opposing the position taken by the federal government, which was supported by Ontario and in part by New Brunswick. Then there were discussions of differences about energy and so on.

I suspect one of the reasons there is more harmony now is that these discussions are now completed. The constitutional discussions have been completed, though not completely. There are still discussions about a variety of areas—for instance, native rights and so on—but by and large the serious discussions about the division of power and about what should be inserted in the Charter of Rights are completed.

The second and important point is that there has been a serious shift of priorities where there have been serious economic problems in various areas of the country. When we talk about the attitude taken, for instance, by Premier Lévesque in the last meeting of provincial Premiers and about how he was optimistic about the discussions that went on, Lévesque basically reflects what many of the people in Quebec are thinking at this time. Basically they have had enough of rancour over language, culture and independence and they want job guarantees.

There is high unemployment in the province. Many of the people in Quebec were forced to

find employment outside of its borders. They are forced, for instance, to work out west in Alberta, in British Columbia and other western provinces, and here in Ontario. Unfortunately, there has been a serious setback from an economic point of view in these various provinces, and they have had to go back.

So we have this unfortunate situation where Quebec is facing very serious economic problems and the people of Quebec are very critical of the existing administration, feeling that they may have spent far too much time in discussing language and culture rather than in discussing such important aspects as jobs and the economic future of the province.

In that sense the Premier of Quebec reflects basically what the majority of people are thinking in that province, and I think that is one of the important aspects of the change in attitude. I think it is also one of the reasons for the change of attitude in the provinces.

Take, for instance, Alberta. The minister talks about his last trip in Alberta and how there seemed to be a better spirit of goodwill and so on. When my colleagues and I visited Alberta two years ago when we were on the committee discussing constitutional changes, many of us were somewhat surprised by the sort of aggressive attitude, not only of citizens in the province but also of elected members from that province, towards Ontario, central Canada and Toronto.

I recall that our colleague the Provincial Secretary for Social Development (Mr. McCaffrey) went back. His first trip caused confusion and consternation and he had to go back as a special guest to try to smooth out the relations between Ontario, or at least some representatives from Ontario, and Alberta.

But things have changed in Alberta. I keep reading about the good times in Calgary. I can recall that I was at the bar convention in Alberta two or three years ago and one could not go half a block without running into sidewalk construction. Cranes were all over the place and heavy construction was going on everywhere. The place was booming. Edmonton was the same. The province was really in the midst of an economic boom.

12:10 p.m.

One had a sense that this stimulated a certain amount of aggressiveness and it encouraged a certain feeling of independence and pride. They felt they could say to the east, or at least to Ontario: "Things are going well in this province. It is due to our resourcefulness. We can do it on

our own. We do not need you. Some of the action should be going on here."

Unfortunately things have changed for that province, and we do not take any pride in that fact here. They are a couple of years behind the economic setbacks that were suffered in other regions of the country but they are feeling it now in Alberta.

I see from a recent statement by the Treasurer of Alberta that the government will have to increase personal income tax in the province by 13 per cent because it needs revenues. If things keep going the way they are, I suspect the Alberta government will be forced to think about imposing a sales tax such as is in force in the rest of the provinces.

The fact that there has been this economic downturn tends to moderate and influence nationalistic tendencies not only in Quebec but I suspect also in Alberta, and unfortunately in British Columbia as well. The latter province has had serious economic problems over the last few years.

For all these reasons, there is a realization in the country that the best way to have some stability across the whole country and the best way to solve these problems is to get all the regions working together. In a large and diverse country such as ours, when there is a problem in one area the people there can receive support from another area of the country.

A strong central government which is able to distribute income is then able to get involved in programs which affect the whole country. These are the times when the balance of Canada can be so helpful; when there is some difficulty in one area another area helps. In other words, the west's economic strength can be going full steam ahead when there are problems in the eastern part of the country.

The federal government should continue to have the resources to be able to distribute benefits and keep some balance—a minimum standard of service and a minimum standard of living for Canadians right across the country.

I should not use the word "benefit" when an area is suffering economic setbacks, but from that experience there can be a realization that it is to our benefit to get some co-operation right across the country. To that end Ontario has an important and traditional role to play. The minister can be assured of support from my colleagues, at least, for this type of approach.

The minister dealt with Quebec in his statement. He said there appears to be more of a sense of co-operation there. On page 4 of his

speech he states: "... generally I was most favourably impressed and encouraged by the evolving attitudes and renewed commitments that are becoming evident again"—and he talks here about the west—"and the positive mood also reflected in other provinces.

"Quebec, for example, made useful contributions at the Premiers' conference and Premier Lévesque made a point of noting how constructive the meeting was." He goes on to say on page 5, "We believe it is essential to maintain a liaison and to let the people of Quebec know and understand that we continue to see and want them as vital parts of the country."

In discussing our relations with Quebec, let us look at two particular areas. I agree with the minister that discussions, interchanges, economic ties and trade must continue and understanding must flow from Ontario to Quebec without any admission on the part of any one of us here that there is any support whatsoever for the ultimate goal of the present administration in Quebec.

As the minister has said, there has been some undertaking on the part of the Premier of that province that the next provincial election will be on the question of independence. I am not so sure they are not going to try to find a way out of that. With the present mood in Quebec, I get the feeling that if this continues, if economic relations do not improve in Quebec, the Premier of that administration will be committing suicide if he thinks they are going to have the next provincial election based on independence. It is a sure way to lose power in that province.

It has been my experience in watching that government, like other political administrations, that their principles become flexible, because after all the ultimate goal is power. I am not sure that particular commitment will be followed for the next provincial election.

When we are talking about understanding for Quebec and for the people of Quebec, we always have to make the distinction that in spite of the fact that for the present administration, the Parti Québécois, the ultimate goal is independence, the fact remains that there is still an overwhelming majority of Quebecers who feel they must stay. They believe in Canada. They feel their future lies as Canadians and as Quebecers. I think there is no doubt about that and I think the last referendum proved that. I think if there was another one in the next short while, it would prove it again.

That distinction must be made by the people in English Canada, who often confuse and

equate the actions of the Parti Québécois with the people of Quebec. At times that can be misleading. The signals we send back should not be recrimination towards the people of Quebec because of the actions of the Parti Québécois. We must keep that in mind. Our message must be to the people and not necessarily to the government, because often the attitude of the government is that anything you do here does not matter anyway. Of course, they would want people to believe that.

Godin, who is their minister, seems to make comments that anything that happens towards francophones outside of Quebec does not matter at all because it is only a question of time before they will be all assimilated and the only real true jurisdiction or area where their language and culture can continue is in Quebec. I think Lévesque is backing off from that position and not accepting the position of his minister.

The point I want to make is that I would suspect what happens in Ontario is more important than what happens in any other province. They always keep looking to Ontario and what happens here. So it is important, as the minister said, that relations and interchange must continue. But there are other tangible goals which must be achieved in Ontario. There are other signs that must be sent.

I look at two areas. One concerns some of the statements and some of the understanding that has been expressed by some people, including the minister and his colleague the Attorney General (Mr. McMurtry), about understanding the concern of Quebec about the present Constitution and the charter and how that is a challenge to their language, culture and institution. The minister talked about this on page 8:

"The same government has not accepted the legitimacy of recent constitutional reforms. It continues to portray the Constitution as an attack on the fundamental powers of the Quebec government. It even sees the Constitution as an attempt to block the efforts of francophone Quebecers to ensure their cultural, political and economic survival."

12:10 p.m.

From what the minister said, I gather he showed some sympathy for what his colleague the Attorney General talked about, a sort of limited veto for Quebec in areas of culture, language and education. Quebec, quite rightly, has always felt that because it is a minority in the country, in such things as language, culture and education the ultimate responsibility should

always lie with the province and the franco-phone majority of that province. I think we understand that.

I think anybody could understand that a minority within a larger number would not leave the ultimate decision for the question of language, culture and education to that majority. They would want to retain the ultimate decision in such an area. I would think that even the former Minister of Revenue, the present Minister of Government Services, could understand such a position.

It is important that the position of Ontario in that area is clearly stated. In some ways the minister has helped in his comments here this morning, when he said: "The second principle is that we should be willing to consider further ways in which Quebec can be assured constitutional power in recognition of its special role as guardian and spokesman for the French language and culture in Canada."

In some ways I am pleased to see that the minister is approaching the position of his colleague the Attorney General. When I look at some of the recent statements made by the Attorney General, and I am sure the minister is familiar with this article in the Queen's Law Journal—

Mr. Conway: It is a very interesting article.

Mr. Roy: It is. The title of the article is "The Search for Constitutional Accord—A Personal Memoir." The minister is smiling; I gather he agrees with the position of the Attorney General—Interjection.

Mr. Roy: My colleague the member for Renfrew North mentions to me that one of the active participants in the constitutional discussions, the Attorney General, has written a memoir. We are still waiting for the other participant, the Minister of Intergovernmental Affairs, to write his memoirs about his participation, his involvement, his view of things that went on.

Mr. Conway: Roy comes off in a pretty good light in this.

Mr. Roy: That is right.

Hon. Mr. Wells: Mr. Chairman, on a point of order: I have done that; I did it in a speech in this House. I do not tend to write at quite the same length as my colleague. I have done that in this House, and it is available in a small blue pamphlet, a copy of which I will be glad to send the honourable member if he wishes.

Mr. Roy: I would appreciate getting the

pamphlet, because my experience has been that, as usual, the minister is a much more modest and moderate fellow than his colleague the Attorney General. Looking at the Attorney General's comments in the Queen's Law Journal—

Hon. Mr. Wells: Do you also have a copy of the publication *No Small Measure*, by Senator Nurgitz and one Hugh Segal? I would be glad to—

Mr. Roy: I could hardly digest Segal when he was here, never mind trying to read him when he is gone.

Mr. Conway: I would rather buy Gordie Walker's book than that.

Mr. Roy: I would not go quite that far, although we may have more to say about that member's book seeing that the taxpayers of Ontario have made such a large contribution in the preparation.

Mr. Conway: You would never know Tom Wells existed from that article.

Mr. Roy: As the member says, the Attorney General is not immodest in the book and he puts himself in a very favourable light. I notice he has not spent too much time talking about this minister's involvement or about the involvement of the Premier (Mr. Davis), as I recall the article.

In any event, he says some very interesting things. One of the things he states, at page 68—if I can read it, Mr. Chairman—

The Acting Chairman (Mr. Hodgson): If I said no, what would you do? You would read it anyway, would you not?

Mr. Roy: No. I am one who respects the chair, no matter who is sitting in it. If the Chairman prohibited me from reading it and I did it, I would do it with some reluctance because of my respect for the chair.

It says:

"The absence of a Quebec veto undoubtedly has created a great deal of apprehension in that province. There has been much rhetoric about the 'surrender of a veto' by the PQ government which together with that government's continuing allegations of betrayal by the English-speaking provinces has, of course, contributed to this sense of unease. The fact that no province has ever actually had a veto is no answer, since it was always assumed to exist. It is also no real answer to argue that the opting-out procedure afforded all provinces, in relation to future constitutional amendments, can provide sufficient protections for Quebec's distinct linguistics."

tic, cultural and social identity. "In public life and indeed in most human affairs, the perception is as important as the reality."

Do they not know that out there? He should ask the Premier about how important the perception is.

"I believe that the people of Quebec must be satisfied that no future amendments to the Constitution could be made that would undermine the "duality" of our nation. The appropriate form of a constitutional guarantee is, of course, debatable, but the federal government and the English-speaking provinces must be prepared to declare that they are committed to this goal."

The Attorney General goes on to say that during the 1980 referendum, certain promises were made which were not kept by people at the federal level or by the leaders of other provinces. I think some progress and understanding is certainly being shown in Ontario when we have leading ministers, such as the Minister of Inter-governmental Affairs and the Attorney General of Ontario, who are prepared to give some undertaking.

When they talk about perception as opposed to reality, it is important that Ontario should not be bashful about this position and should make it quite clear to the people of Quebec that is the position of the Ontario government as opposed to the position of just a couple of cabinet ministers. I am not clear about that. On other occasions, when I have talked to the Premier and when questions were asked of the Premier, he has taken an approach that is somewhat different from the Attorney General's.

I say to the minister that there have been confusing signs coming out of Ontario on this very issue. The minister will recall that it was a year or so ago, I believe, when I asked questions of the Premier and there seemed to be a position taken at that time, at least by the Premier, that was somewhat different from the position taken by the Attorney General on different occasions and in this particular article.

In fact, as I mentioned here, what I understand the minister to be saying this morning is that he has some sympathy with at least some recognition that Quebec should be entitled to some limited veto in the areas of culture, language and education. I do not know whether there should be other areas; I have not explored them completely.

12:30 p.m.

The other area where I think it is important for Ontario to take some leadership is the area

of providing French-language services. I note that the minister in his speech did not really spend very much time dealing with this issue. He talked about it basically in one or two pages towards the end of the speech. Frankly, considering the debates that have been going on here in the last while, I think there should have been more discussion of that issue.

I said before—and I apologize if I am being repetitious—that what happens in Ontario is so important. I do not know whether people here understand and realize that. There may be things happening in Manitoba, there may be positive steps happening in New Brunswick; but for some reason, and I guess it is based on historical and traditional reasons, what happens in Ontario is more important than what happens in any other jurisdiction. It may be because of the fact that in sheer numbers there are more francophones in Ontario than there are in any other province except Quebec.

In other words, what I am trying to say is that there are as many French-speaking Canadians in Ontario as there are in the rest of the country outside of Quebec; so the largest number is here. It may be because of our proximity and our relationships, trade and otherwise, with the province.

However, I must say that I have been saddened in the last while by the debate that has gone on in this place, in the press and across the country generally, and I have been saddened by the position taken by the Ontario government in this debate.

I thought the approach taken by the federal leaders at least merited our congratulations and our support. In the debate that went on a few weeks ago in the House of Commons, all three leaders rose above partisan differences.

I want to emphasize that originally when the debate started it appeared that the Liberal government was trying to take advantage of the Manitoba question to embarrass the new leader of the Conservative Party. But in fairness to them, I think there was a realization that the goal to be achieved—in other words, unanimity on this issue and unanimity on the message that was sent back to Manitoba—was more important than trying to exploit partisan differences or political differences within the Conservative Party. An opportunity—a way out—was given to Brian Mulroney and he took it; and to his credit he performed extremely well in the process.

It was with some satisfaction, I think, that all Canadians saw their three national leaders take

a position above partisan differences and send a clear and unequivocal message to Manitoba about the position and the protection of that very small minority.

Picture the magnanimous approach taken by the federal House; on the very same night when it came across on the national news, the comment coming out of Ontario by the minister, who was the spokesman because the Premier was out on a trade mission to the Far East, was so negative. The minister was quoted as saying basically, "A constitutional guarantee for the francophone minority in this province is not necessary." We have a situation where a message is sent to Manitoba dealing with fewer than some 50,000 francophones, and yet for 500,000 in Ontario the same guarantees are not necessary, the minister said.

In some ways it is a position taken by the minister that I suspect at times he personally does not believe. I suspect the minister does not believe that constitutional guarantees are not important in this province. The minister said on different occasions—and he got some editorials in the *Toronto Star* that were very favourable to his comments last year—that he personally favoured constitutional entrenchment in the area of former section 133 of the *British North America Act*, guarantees in the area of the Legislature and the courts.

These confusing signs by the minister, or the position taken by the government as expressed by the minister, were unfortunate. I will quote a headline of a few days ago that followed the minister's speech: "Wells Fears Swift Backlash If Ontario Made Bilingual." Then in an article in the *Globe and Mail* on October 12, 1983, the minister is quoted as follows: "Mr. Wells yesterday described official bilingualism as a symbol that could set back progress for Franco-Ontarians by creating divisions in the province." It went on to say:

"Mr. Wells said the government has not canvassed opinion to find out what groups in Ontario would oppose official bilingualism. He said his position is based on 'my general reading of the climate.'" He went on to mention the very unfortunate period of 1977 when there was a debate about the creation of a French-language school in Essex and the difficulty and division that caused at the time.

The minister said Ontarians do not want the division that happened in Manitoba. I think that statement is misleading. He knows full well that what is happening in Manitoba now is being created in large part by the Leader of the

Opposition there. Mr. Lyon is leading the forces opposing a very necessary agreement entered into by the Manitoba government with the French-language minority in that province. The minister knows full well that any initiative taken by this government has never been opposed or undermined by either of the opposition parties.

I challenge the minister to say on what occasion the government has ever taken any initiative in that area that has been opposed. I refer to initiatives in the establishment or the guarantee of French-language services in this province. Can he name an occasion when the Leader of the Opposition, the leader of the New Democratic Party or any member of the opposition has gone about trying to exploit, for political purposes, the initiative taken by the Ontario government?

I am not the only person to say that. A recent editorial in the *Globe and Mail*, headed "No Better Time," talked about "the unfortunate position taken by Ontario and the lack of leadership in that area." It went on to say:

"Moreover, unlike Manitoba's New Democratic Premier, Howard Pawley, Mr. Davis would have the support of the opposition. Both provincial Liberals and New Democrats have been urging the Premier to entrench official bilingualism in Ontario. They have even offered to join him in an all-party resolution in the Legislature. That is a very different case from Mr. Pawley, who has faced an ugly public clamour ever since Conservative leader Sterling Lyon forced the bilingualism issue to public hearings around the province."

The minister knows full well that he cannot compare Ontario's situation with that of Manitoba. He knows full well that any initiative he is prepared to take will receive the support of the other parties. I am saddened to see that he did not avail himself of the opportunity given by other leaders in this House to try to remove this from partisan consideration.

12:40 p.m.

I am sorry he did not accept the opportunity to get the three leaders involved in a position which would further enhance and give further linguistic guarantees to the francophone minority without being in a position where it became partisan, or a division, or where one party was trying to exploit it for political purposes.

I know the minister will say, and I hear some of my friends in the New Democratic Party say, "Look at the position of your party or your leader in that area." First, I want to say the leader of this party on one situation was mis-

quoted by the Canadian Press and there was a retraction. He was quoted as saying constitutional guarantees were not necessary in Ontario. That was wrong. He has said so, and Canadian Press has made a retraction on it.

What the leader said is that he personally favours constitutional guarantees. He said this and he has repeated it on various occasions. There is some difficulty, and I am the first to admit it, about the party position, which is—the minister smiles. This party is apprehensive sometimes and that is because his party has tried on different occasions to exploit initiatives taken by this party.

What did the Premier do in 1978 when he vetoed a bill that had been accepted by the House? What did he do in 1980 in Carleton when they were going around distributing material saying the Ontario provincial Liberals were in favour of what they called wall-to-wall bilingualism?

Hon. Mr. Ashe: Well?

Mr. Roy: They exploited it. The Minister of Government Services says exactly that. We have our answer. The Minister of Government Services has just said it. The record should show that he was still trying to advance for political purposes a position which is not the position of this party.

Hon. Mr. Ashe: Come on now; go back and read the record.

Mr. Roy: Because of initiatives, because of attempts—

Mr. McClellan: You should not try to cut him off. His interjections are very interesting.

Mr. Breagh: You may want to get it on the record.

Mr. Roy: I am sorry. If the minister wants to get up and put his position on the record as to how they tried to exploit the issue for political purposes in a by-election, I am prepared to yield the floor.

Hon. Mr. Ashe: Just clarify the record; that's all.

Mr. Roy: I think his comments have said it all.

Mr. Conway: The Premier did it in the national capital region—

Mr. Roy: That is right.

I can recall another occasion when I was attending a federal-provincial conference. There was some talk that Ontario might accept guarantees along the lines of constitutional guarantees under section 133. I can always recall the morning at the National Conference Centre in

Ottawa when the Toronto Star came out with a large, red headline. It said something about "Ontario will give"—I guess it was more offensive to the Premier than that—about "Ontario to become bilingual," or something. I can recall the Premier's violent reaction that morning at the conference, stating again, and unequivocally, that was not the position of Ontario.

That was another occasion. I thought that reaction was typical. The Premier and the minister talk about leadership given in Ontario. I found it interesting during the constitutional discussion that what the minister as a participant was prepared to do in Ontario was let the federal government force guarantees on Quebec for its linguistic minority, but he was not prepared to do the same thing for Ontario. He let that happen. He wonders sometimes why our position vis-à-vis Quebec is so confused and why they do not understand the initiatives we have taken.

I should read again from the Attorney General's statement in the Queen's Law Journal where he states on page 71: "The issue of official bilingualism in Ontario does have ramifications beyond her borders, particularly in Quebec. The unwillingness of the Ontario government to accept section 133 has, of course, produced a high degree of controversy in both provinces. Regrettably, this controversy has overshadowed the very extensive progress that has been made in Ontario, particularly in the area of French-language education and bilingual court and legal services."

He is absolutely right. This is what gets headlines in Quebec. The minister has been in politics long enough to know that when something is negative, when one refuses to grant something, usually one gets far more press than when one takes the initiative and when one shows progress. In other words, there is more press, more activity created by being negative than by being positive.

The frustration of the minister, along with that of many of his colleagues, is obvious when he goes on to say that in Quebec they do not understand what we are doing. For instance, they do not understand that we have some 100,000 students taking French-language education. They do not understand that an individual charged in this province can have his trial in one of the two official languages in criminal courts and in the civil courts in certain areas of the province. They do not understand that we are giving services in a variety of areas, including health, government services, etc.

Of course they do not because there is a perception in that province that on an occasion when Ontario could be giving leadership on that particular issue a negative approach is taken. I would say to the minister it is time that initiative was taken in this province because, even though in Quebec their current priority may be economics, the message coming out of Ontario is going to be very important at a later time.

How are we going to convince the francophone majority in that province that they are welcome in Ontario when we continue to refuse to give the minority in this province—their cousins in Ontario—the same guarantees that Quebec gives its anglophone minority? How are we going to convince them of that?

I think there is a way out. Why would the minister not give consideration—and I asked this of the Premier the other day—to a resolution that I proposed, which basically would give constitutional guarantees in the areas where services are already being provided, namely, in the Legislature, in education, in the courts, and for government services where there is sufficient demand or numbers warrant?

The concern of the minister and the Premier seems to be, "What we do not want to do, what we cannot do, is establish laws, give constitutional guarantees, raise expectations, when we cannot fulfil them and we do not have the services." That is not the case here; we have the services. What is stopping the government from giving a constitutional guarantee? Is it the backlash?

I think Ontario has evolved considerably since 1977, since the problems the government got involved with in Essex. In fact, the problems in Essex were in some ways created by the indecision in that area. It dragged on for seven years. It was small wonder the community was divided. Had the government accepted the recommendations of the Symons report five years earlier, it might have avoided some of the rancour there was, not only in Essex but in Cornwall and Penetanguishene.

It is unfortunate, given the spirit of co-operation in the country that the minister spoke about, that Ontario does not see fit to take the leadership offered to it on this particular occasion. Nothing requires more justice than that particular issue at this time, and nothing would undermine the forces of separation in Quebec more than the initiative that could be taken by Ontario for its minority.

12:50 p.m.

The other area when one is talking about French-language services, and the minister could talk about this to his colleague in the Ministry of Education (Miss Stephenson), is the education proposal. I must go back to this. Sometimes when the minister talks about backlash, I really think he is missing the boat. When he talks about bilingualism in Ontario, how can he talk about backlash when his government said four or five months ago that every francophone in Ontario, no matter where he is, is entitled to French-language education. One would have thought that something such as that, going further than the constitutional guarantee, would create a backlash.

More recently there was the latest statement that French is going to be mandatory in grades 7 and 8 in the province. If the people were going to get excited about French being shoved down their throats, or the rednecks were going to come out, I would have thought that issue would have stimulated a backlash.

Has the minister seen any backlash on that? Has the Attorney General, for instance, been threatened because he has taken initiative in the areas of justice? Has there been any problem by other ministers who have taken initiative? Where is this so-called backlash?

Hon. Mr. Wells: It is the way we did it.

Mr. Roy: Yes, it is the way the government did it.

Unfortunately, the minister knows as well as I do that often the backlash is gauged by what the government does over there. The backlash can be as strong or as weak as the government wants to make it. I am saying the minister is offered an opportunity here to give leadership and he has not done it.

In areas of education, for instance, the minister keeps persisting in coming out with these crazy formulas about guaranteeing French-language trustee representation on these school boards. I do not think there is one area of the province which is in agreement with that proposal made by the minister's colleague, the Minister of Education; and small wonder. The minister keeps having this obsession of refusing to take what is a logical solution for an area such as Ottawa-Carleton and allowing them to have their own French-language school system.

What is the government's obsession with that particular initiative? Because of this particular obsession, what is likely to happen is the courts—there is a challenge now before the Court of Appeal in that area—are probably going to force the government to do it, and that may

cause more backlash than had it taken the initiative to allow the experiment in Ottawa-Carleton or perhaps in other areas, which would be more practical than the solution proposed about French-language representation on school boards. In many areas it is impractical.

In the area of French-language services, there is certainly room for improvement. I am saddened that the minister has not succeeded in advancing a position on the part of government which was more productive at this time. I am saddened by the fact that the minister's personal views and his position do not jibe with many of the things he is saying publicly on behalf of the government. For some of the things he has said, he should know better.

It was interesting the other day when the Premier said there were a lot of francophone leaders who agree with the government's position. Right away the press ran out to get some comments from some of the spokesmen for the French-language community. They went to M. Régimbal from the Conseil des affaires Franco-Ontariennes, and he did not agree. I thought if anybody was going to agree with the government's position, it would be Roger Régimbal.

I see him under the gallery. I am not always complimentary towards him, but I would have thought if anyone should have been toeing the line and saluting at the Tory call, it should have been M. Régimbal; but he did not, he expressed concern about the position taken by the government.

I recall there were some other francophone leaders who were interviewed, but the press was not able to find anybody in that community who were supportive of the position taken by the Premier on that issue.

Mr. Conway: We all have crosses to bear.

Mr. Bradley: Maybe René Piché.

Mr. Roy: Some of my colleagues mention the member for Cochrane North. Of course, he is not heard from very often on that particular issue.

Mr. Conway: He liked the jet.

Mr. Roy: Yes, the jet was an important issue for him. I do not know if it is because he does not fit into the water bomber or what it is, but he seems to be annoyed about that. I do not want to be too harsh on my colleague the member for Cochrane North when he is not here, because he should be here to defend himself.

I would like to move on to another area the minister discussed briefly this morning. He is not giving us very much notice of some of the

papers he is publishing before his estimates. Ontario's International Relations: A Perspective, came out on October 21, today; so I looked only briefly at Ontario's position on this issue.

I suppose before I get into the meat of this—

Hon. Mr. Wells: Adrienne Clarkson is speaking at the Canadian Club on Monday.

Mr. Roy: Adrienne Clarkson is at the Canadian Club on Monday?

Hon. Mr. Wells: Yes.

Mr. Roy: Has Omer been invited to speak? I understand that the minister is reluctant to get Omer back to Canada because he does not want to leave. He may drift towards an area of the province called Stormont, Dundas and Glengarry. That is the scuttlebutt. As agent general in Brussels he is lonely. He would like to come back à son pays natal, if I may say.

Mr. Bradley: Lonely but well paid.

Mr. Roy: Yes. The loneliness of Omer over there in Brussels is comforted by the fact that there is a heavy paycheque that comes in every two weeks.

Mr. Conway: Could we be so lucky as to have him in Stormont, Dundas and Glengarry? Could we pray for that?

Mr. Roy: The word is that the minister is going to lose his agent general—not that I think he is going to have any difficulty filling the position should he lose Omer and should he make an attempt to become an active participant in this profession. But the word is around Ottawa, I want to tell the minister—and he is going to be given an opportunity to correct difficulty filling the position should he lose Omer and should he make an attempt to become an active participant in this profession. But the word is around Ottawa, I want to tell the minister—and he is going to be given an opportunity to correct this—that Omer wants to come back; he is lonely out there in Brussels.

I have been prevailed upon further by some of my colleagues to congratulate one of the minister's initiatives, and that is the naming of our representative in New York, our good and dear friend Jake Dunlap. I want to put this on the record. Maybe the minister does not hear these things. Does he get press clippings when I am complimentary about the appointments of government? He does not remember them. He just looks at the criticisms.

My colleagues and I applauded that particular appointment and said that we think he will be an excellent representative for Ontario in New

York. Some of my colleagues—I will not mention who—are scrounging around for invitations or, let us say, approval or some sign that they would be welcome on a visit to that great state to see our representative in New York. We are looking forward to glowing reports of increased trade with that state following the appointment of Jake.

Hon. Mr. Wells: Omer would be happy to see you too.

Mr. Roy: Yes? Would you tell Omer to send the invitations? I hear everybody else is getting an invitation but me. I do not know why. We made him welcome in Ottawa East. Considering how little support he had in that riding, I thought we treated him pretty well. We did not treat him badly enough for the government to compensate him overwhelmingly the way it did with that job. In fact, I think the minister annoyed a lot of long-standing Conservatives who felt they were more deserving of that important appointment than Omer. Nevertheless, I hope Omer will finish out the term, but I

hear that he keeps looking and keeps wanting to come back.

Mr. Chairman, this may be an appropriate time to adjourn the debate because I intend to discuss briefly the question of Ontario's International Relations, A Perspective. I would say to my colleagues in the New Democratic Party that I do not have that much longer to go, but I shall require more time than is given here. Can I adjourn the debate, Mr. Chairman?

The Acting Chairman (Mr. T. P. Reid): The minister will adjourn the debate.

On motion by Hon. Mr. Wells, the committee of supply reported progress.

Hon. Mr. Wells: Mr. Speaker, before moving the adjournment of the House, I would just remind my friends that the debate on interim supply will continue on Monday afternoon, legislation on Tuesday afternoon and these estimates at eight o'clock on Tuesday evening.

The House adjourned at 1:01 p.m.

CONTENTS

Friday, October 21, 1983

Statements by the ministry

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:	
Toronto Futures Exchange Act.	2319
Fish, Hon. S. A., Minister of Citizenship and Culture:	
Hamilton-Scourge project.	2320
McCaffrey, Hon. B., Provincial Secretary for Social Development:	
Metropolitan Toronto Association for the Mentally Retarded.	2321
Snow, Hon. J. W., Minister of Transportation and Communications:	
Light rapid transit system.	2320

Oral questions

Brandt, Hon. A. S., Minister of the Environment:	
Termite control program, Mr. Philip.	2329
Davis, Hon. W. G., Premier:	
Contract tenders, Mr. Peterson, Mr. Foulds.	2321
Inflation restraint practices, Mr. Conway.	2323
Welfare payments, Mr. R. F. Johnston, Mr. Conway.	2326
White Farm Equipment Canada Ltd., Mr. Nixon, Mr. Gillies.	2327
Grossman, Hon. L. S., Treasurer and Minister of Economics:	
Shoreline protection, Mr. Bradley.	2332
McCaffrey, Hon. B., Provincial Secretary for Social Development:	
Group home accommodation, Mr. McClellan, Mr. R. F. Johnston, Mr. Wrye.	2331
McCague, Hon. G. R., Chairman, Management Board of Cabinet:	
Contract tendering practices, Mr. Foulds, Mr. Roy, Mr. Philip.	2325
Ramsay, Hon. R. H., Minister of Labour:	
Plant closures, Mr. Mackenzie.	2328
Timbrell, Hon. D. R., Minister of Agriculture and Food:	
Beef production, Mr. Elston.	2329
Beef production, Mr. Pollock, Mr. Swart, Mr. Elston.	2331
Walker, Hon. G. W., Provincial Secretary for Justice:	
Hiatus House, Mr. Wrye.	2330

Petitions

Sworn testimony, Mr. Peterson, tabled.	2333
Inflation restraint legislation, Mr. Peterson, Mr. Wrye, Mr. Ruston, Mr. G. I. Miller, tabled.	2333

Reports

Standing committee on administration of justice, Mr. Kolyn, tabled.	2334
Standing committee on resources development, Mr. Barlow, tabled.	2334

First reading

Central Trust Company and Crown Trust Company Act, Bill 97, Mr. Elgie, agreed to 2334

Committee of supply

Estimates, Ministry of Intergovernmental Affairs, Mr. Wells, Mr. Roy, adjourned. 2335

Other business

Election anniversary, Mr. Timbrell. 2333

Adjournment. 2350

SPEAKERS IN THIS ISSUE

Ashe, Hon. G. L., Minister of Government Services (Durham West PC)
 Bradley, J. J. (St. Catharines L)
 Brandt, Hon. A. S., Minister of the Environment (Sarnia PC)
 Breaugh, M. J. (Oshawa NDP)
 Conway, S. G. (Renfrew North L)
 Davis, Hon. W. G., Premier (Brampton PC)
 Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
 Elston, M. J. (Huron-Bruce L)
 Fish, Hon. S. A., Minister of Citizenship and Culture (St. George PC)
 Foulds, J. F. (Port Arthur NDP)
 Gillies, P. A. (Brantford PC)
 Grossman, Hon. L. S., Treasurer and Minister of Economics (St. Andrew-St. Patrick PC)
 Hodgson, W. (York North PC)
 Johnston, R. F. (Scarborough West NDP)
 Mackenzie, R. W. (Hamilton East NDP)
 McCaffrey, Hon. R. B., Provincial Secretary for Social Development (Armourdale PC)
 McCague, Hon. G. R., Chairman, Management Board of Cabinet (Dufferin-Simcoe PC)
 McClellan, R. A. (Bellwoods NDP)
 McMurtry, Hon. R. R., Attorney General (Eglinton PC)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Peterson, D. R. (London Centre L)
 Philip, E. T. (Etobicoke NDP)
 Pollock, J. (Hastings-Peterborough PC)
 Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
 Reid, T. P., Acting Chairman (Rainy River L-Lab.)
 Renwick, J. A. (Riverdale NDP)
 Roy, A. J. (Ottawa East L)
 Ruston, R. F. (Essex North L)
 Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
 Swart, M. L. (Welland-Thorold NDP)
 Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Walker, Hon. G. W., Provincial Secretary for Justice (London South PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
 Wrye, W. M. (Windsor-Sandwich L)



No. 65

Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament
Monday, October 24, 1983

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

Published by the Legislative Assembly of Ontario
Editor of Debates: Peter Brannan

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, October 24, 1983

The House met at 2 p.m.

Prayers.

STATEMENT BY THE MINISTRY

LEISURE SERVICES IN ONTARIO

Hon. Mr. Baetz: Mr. Speaker, today I am tabling in the House an economic impact study of the recreation programs of my ministry which has significant implications for the future of leisure services in Ontario.

This study has just been completed and was conducted for my ministry by Earl Berger Ltd. in conjunction with G. M. Stamm, Economic Research Associates and Mathieu, Williams, Lethere Associates. The consultants applied the tools and concepts of economic impact analysis to existing data on recreational activity and expenditure. As far as can be determined, it is the most exhaustive study of this type available.

Recreation has a human and social value in our society that goes far beyond dollars and cents. This contribution to our quality of life, in and of itself, fully justifies my ministry's commitment to this program area. Nevertheless, in these times of economic constraint, the ministry believed that quantitative data would strengthen our basis for program planning and setting priorities. We also suspected that recreation generated economic returns as well as social benefits which should be recognized in the formulation of government policy.

The study reminds us that almost everyone in Ontario is heavily committed to recreation. The average family spends \$2,300 a year on recreational pursuits, which represents a total expenditure in the province of \$7.3 billion. Municipalities spend more than half a billion dollars a year on recreation and the private sector invests more than a quarter of a billion dollars a year in leisure facilities. All this spending, let us remember, represents income for Ontario business firms and their employees. Recreational expenditure creates wealth and strengthens private enterprise.

The economic impact touches almost every sector of the economy. Registered figure skaters, for example, spend some \$3 million a year just to get their skates sharpened. Amateur

hockey generates spending far in excess of \$400 million a year on everything from boot laces to potato chips. Thirty-five per cent of trips by tourists have a recreational purpose.

This study has estimated that each dollar spent by the ministry generates about an additional \$9 in economic activity in the private sector. That is a nine-to-one payback on our \$62.8 million budget for a total impact of \$565 million. There are three elements in this calculation. The total includes the direct private spending linked with ministry programs, plus the multiplier effect as those additional funds circulate through the economy, plus the value of volunteer time.

Ontario has the highest proportion of volunteers to population in Canada, and our citizens donate about 20 million hours per year to leisure activities. It seems reasonable to value that time at the average provincial wage of about \$10 per hour. Recreation, therefore, stimulates some \$200 million worth of volunteer work each year, which represents a net addition to the economy and does not include the millions of volunteers contribute in out-of-pocket expenses while supporting their chosen activity.

I emphasize that the \$565 million dollar economic impact is the tip of the recreation iceberg. It reflects only the 14.5 per cent share of the active recreational pursuits which can be traced to the sports, fitness and recreation programs of my ministry. The figure excludes the positive economic impact on recreation of such provincial attractions as Ontario Place.

The study found that our many programs, ranging from capital support to organization development to fitness promotion, have cumulative and additive effects. The branches influence the vast recreation market in so many complex and interacting ways that the specific impact of each program area simply cannot be determined at this time.

I particularly wish to highlight the two case histories recounted in the report. The community of Sault Ste. Marie was studied in depth because of its experience in dealing with the problems of involuntary leisure resulting from unemployment. Enrolment in recreation programs in the Sault has risen sharply with the

unemployment level. Recreation has helped individuals to maintain self-esteem. It has reinforced the social fabric of the community and it has generated much needed business and employment.

No one is suggesting for one moment that recreation is a substitution for jobs or job creation programs. However, the Sault Ste. Marie case study demonstrates that the ministry's programs are truly important to individuals and to communities during difficult economic and technological transitions.

These twin challenges were foremost on the agenda of the meeting held last week of the provincial and territorial ministers of sport and recreation. In this forum all the ministers expressed the view that recreation programs, as part of the wise use of leisure time, will play an important role in cushioning the social change we all face. As Dr. John Farina, head of the department of social services at Wilfrid Laurier University, said, "Leisure is not time to be filled but an opportunity to be fulfilled."

The second case study profiled the popular activity of ice skating and found a half-a-billion-dollar business. Spectators at amateur hockey games spend an estimated \$64 million a year on admission fees and refreshments. The 12,000 teams spend almost \$70 million just on ice time in community arenas.

Organizers of speed skating and ringette doubt that either of these sports would have taken root without ministry support. Our seed money endowed these groups with the credibility needed to attract other sources of funding and to persuade volunteers to lend their time and energies to their endeavours.

I would like to outline very briefly some of the major implications of these findings, which the ministry will be carefully considering in the months ahead. First and foremost, recreation has an economic impact of such magnitude that it should be considered a tool not only for the social development but also for the economic development of the province.

2:10 p.m.

Second, we have confirmation that tourism and recreation are closely linked, giving us further impetus to incorporate this relationship into the planning and delivery of ministry programs.

Third, recreation, and especially physical fitness programs, has major potential for human benefits and cost savings in physical and mental health. The Ministry of Tourism and Recre-

ation has the resources, experience and programs in place to provide leadership in this field.

Fourth, the study tells us that volunteers have a tremendous economic as well as social value. The preservation of programs designed to encourage their participation and upgrade their skills must remain a top priority.

Finally, the vital impact of recreation on the social fabric and economic strength of Ontario communities should be recognized by municipal governments in their planning. My ministry is prepared to work closely with municipalities in this key area.

The major conclusion to be drawn from this report, as the consultants observe, is the durable and powerful belief in recreation by the people, the communities and the government officials of Ontario. There is an unyielding and widespread conviction about the social and personal benefits of recreation. Now we have firm evidence that the hold of recreation on the public mind is matched by its importance to the provincial economy.

The information in this report will be most valuable as ministry community recreation officials plan for the high technology future and the challenge it presents for the constructive use of leisure time.

ORAL QUESTIONS

HYDRO RATES

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Energy. He will be aware that last year Ontario Hydro customers as part of their fees for hydro paid some \$270 million in interest on Ontario Hydro borrowing, being only part of the \$1.7 billion in interest on the \$16.3 billion owed by Hydro at the end of 1982. He is aware, no doubt, that Hydro plans to borrow another \$22.2 billion in the next 10 years, bringing its total debt up to \$38.5 billion.

Given that dramatic increase in borrowing and given the interest that will have to be paid, how high will Ontario Hydro have to raise its rates in the next 10 years to meet these interest requirements?

Hon. Mr. Andrewes: Mr. Speaker, I think the question asked by the Leader of the Opposition is one that has been speculated on by many, including the former Energy critic for the New Democratic Party over the weekend.

On the question of the current rate, the Leader of the Opposition is accurate in his figure of \$270 million to service the debt. The figure that is popularly put out, what the former member for York South, the former leader of

the New Democratic Party, talks about, is \$40 billion in total debt.

I think at this point Hydro has embarked on a program to maintain its financial integrity, to keep some perspective on that financial integrity and to keep the rates below the level of inflation. They are confident that those rates over the next number of years can indeed be kept below that level of inflation.

I think it is appropriate if perhaps I could read a quote to members from a recent article that appeared in the Toronto Star: "Prominent ratings service Standard and Poor's drubbed the Bank of Montreal recently, saying its rating may be downgraded because the \$670 million the bank paid for Harris Bankcorp of Chicago may have been too much."

The article goes on to say: "But weeks before, it made another announcement about Ontario Hydro. It reaffirmed Hydro's top triple-A rating, despite bad publicity over the utility's nuclear program and debts.

"There are only two other utilities in North America that share this triple-A status—Dallas Power and Light and Texas Power and Light. And New York bond trader Carol Dizard with the Rothschild's Bank says: 'It wouldn't matter whether Hydro was downgraded. The market's perception is that Ontario Hydro is a really good credit of top value.'"

Mr. Peterson: By way of preamble to my supplementary, I remind the minister he is factually wrong on two counts. One, Hydro rates are going up 7.8 per cent this year, substantially above the rate of inflation, so that does not correspond with his point. Two, Ontario Hydro debt is guaranteed by the province of Ontario which has a triple-A credit rating. On its own Hydro would not have that. The minister knows that and I know that, so he is factually incorrect.

Would the minister not agree with me, given Hydro's prediction of 2.1 per cent per annum growth to about the year 2000, and assuming, let us say, an average borrowing interest rate payable of 10 per cent—it could be higher or lower, I admit that—by 1992 Hydro, according to the minister's own scenario, will have to pay close to \$3.9 billion in interest? I am not talking about the capitalized interest that will have to be paid for when those plants come on stream.

That means, in very simple terms, that Hydro rates for borrowing alone, just for the interest component, will have to quadruple by 1992 to pay for the capital expansion program. Would the minister not agree with that figure?

Hon. Mr. Andrewes: Mr. Speaker, I think we are casting around here for figures. At this time, the projections on those kinds of figures relate, to a degree, to the market. Hydro will continue to borrow, and will continue to borrow at the market rate. I am not in a position to say what that rate will be next year or the year after, nor do I think the Leader of the Opposition is. What I read into the record bears repeating. It was not a statement of my own but one printed in the Toronto Star.

I recognize that the 7.8 per cent rate increase was the matter before the House last Thursday. I recognize that is above the current rate of inflation. I only reiterate to the Leader of the Opposition that 70 per cent of the costs incurred by Ontario Hydro are costs unrelated to the direct control of that organization.

Mr. Rae: Mr. Speaker, given the capital costs that have been described, given the costs of borrowing that have described, and given the capital costs of replacing the pressure tubes—and that is a matter which is still under review—can the minister guarantee in this House that in the next 10 years Hydro's rate increases will be below the rate of inflation? That is the question the people of Ontario want an answer to. Can he guarantee the rate of increase will be below the rate of inflation?

Hon. Mr. Andrewes: Mr. Speaker, I can only tell the member that in its most recent projections Hydro is confident that rate will be below the rate of inflation, notwithstanding the problems at Pickering and the problems of tube replacement, if that is a program it must embark on. The information that is coming forward is giving a different perspective on the possibility of tube replacement. As I said before, when that information is more accurate, I will report to the House.

Mr. Peterson: It is a major policy statement the minister has given today. I am glad of that, and I will remind him in the future of his commitment and the commitment of Hydro to hold price increases at below the rate of inflation for the next decade—

Mr. Speaker: Question, please.

Mr. Peterson: —which does not square with what happened in this House last week, so he is off on a bad foot.

My question is, does he disagree with his predecessor, Darcy McKeough, who was recently quoted as saying that Hydro increases will outstrip substantially the rate of inflation for

some long period of time in the future in order to pay for the capital expansion program?

2:20 p.m.

Hon. Mr. Andrewes: The Leader of the Opposition enjoys quoting to me statements by one of my predecessors, a former Treasurer of this province, a former Minister of Energy and now the president of the Union Gas company.

Mr. Bradley: Is the minister saying he is impartial?

Mr. Speaker: Order.

Hon. Mr. Andrewes: I would want to think he is impartial in this kind of debate.

Although the president of Union Gas has indicated some concern about Hydro rates, I think he is dealing in projections and not in accurate facts, given the fact that all these borrowings are going to be related to the interest rate at the time. It is probably significant to read into the record a comment made by my former colleague in a statement he released to the Windsor Star with respect to comments on a speech he made in that great community.

The former Minister of Energy and president of Union Gas has said this: "I can hardly adopt a terribly critical stance, because I was present and involved during much of the planning which has led to the present overcapacity" of that utility. "The natural gas industry has problems which are similar in many ways, relating to the failure of markets to grow in line with the expectations of five to 10 years ago."

I recognize that many people are concerned in terms of the effects that the Ontario Hydro rate will have on the economy of this province. I think that utility has been eminent in terms of its integrity in trying to keep those rates related to a reasonable level and to limit the effect that rate will have on the economic future.

Mr. Peterson: I remind the minister that the interest charges alone will quadruple four times more in the next decade.

Mr. Speaker: Question, please.

Mr. Peterson: He had better check out his own facts on that.

PHARMACISTS' PAYMENTS

Mr. Peterson: Mr. Speaker, I have a question for the acting Minister of Health. It concerns payments made by the ministry to pharmacists across this province. How could the government possibly allow itself to pay out \$10 million more to pharmacists than was required under the program?

Hon. Mr. Wells: Mr. Speaker, I think my friend is perhaps exaggerating a little. He is quoting from a Southam News story, which appeared in the Hamilton Spectator, the Ottawa Citizen and a few others, that purports to indicate this money was paid out. I would be very concerned about this too, as of course I am, and I am looking into it.

This story is at great variance with what is said by the pharmacists of this province, who have indicated there are erroneous details in that story. Indeed, I guess in the last three hours I have been peppered with questions by a number of members of this House who have been approached by pharmacists over the weekend wanting to know what is going on and why the ministry is moving to do something unilaterally that they have no knowledge about.

The fact is that story is there. There is some indication that the method of payment—a method I understand was agreed to between the government and the pharmacists—has somehow been abused. I do not know whether it is being abused, but I intend to sit down and find out whether it is.

At this time, in answer to the question from my friend, I also want to assure the House that inquiry will involve meeting with the pharmacists. There is no question that we will sit down face to face with them to ask them about the details of that story.

Mr. Peterson: Is the minister going to include in those meetings the Deputy Minister of Health, Graham Scott? As the minister is aware, the Ontario officials admitted that this province alone paid at least \$10 million too much through concealed profits taken by pharmacists on drugs supplied to welfare recipients and the aged. I understand that is according to the deputy minister.

He said: "We are alarmed that what had been a small margin for a return has become a new method of payment to the pharmacist." I find myself reluctantly siding with the deputy minister on this question.

Mr. Speaker: Question, please.

Mr. Peterson: What is the minister going to do to curb this abuse, another waste of taxpayers' funds?

Hon. Mr. Wells: My deputy certainly will be informed and will be involved in the meetings. He has been involved in a number of meeting about it now. All I am pointing out to my friend is that this alerts us that what may have looked

fine as an original agreement may have worked to the benefit of one party.

I am not prepared to say for sure that has happened. I want to sit down with the pharmacists and discuss this allegation with them. It may be that they are making too much out of the drug plan. It also may be that they feel this is an accepted way they should have been paid under the plan. We intend to sit down and work through the whole thing.

Mr. Conway: Mr. Speaker, will the minister clarify this, because I do not know that I heard him clearly on this subject. Was the Deputy Minister of Health or others in the Ministry of Health misquoted by the Southam News stories which appeared in Ottawa, Hamilton and elsewhere last Friday to the effect that for this year an additional \$10 million was being paid out under the drug benefit plan?

Second, will the minister give this House an undertaking that no change will be made without the kind of consultation he has promised with the pharmacists and others centrally involved in this very serious matter? Will he give an undertaking in this House that no change will be made unilaterally—effective within a few days, as some of us were told on the weekend by pharmacists—until all parties are made clearly aware of what the government's intentions are in this matter?

Hon. Mr. Wells: Mr. Speaker, that was the very thing I was emphasizing in answer to the Leader of the Opposition's question. I am not going to give any assurances or any indication of what will be done until we have had a chance to sit down with the pharmacists. It would be unrealistic not to sit down and have meetings with them on a matter where certain allegations have been made against them and where I want to hear from them at first hand as to what the situation is. Yes, we will be meeting with them and no unilateral action will be taken.

I also want to indicate—I quickly got out a copy of the story—that the part about the \$10 million is not a direct quote from the deputy minister. It is the reporter's indication of that attributed to Ontario officials. It is not part of the direct quote. The next paragraph deals with the quotes from the deputy minister.

Ms. Copps: Are you denying it? Is it correct or not?

Hon. Mr. Wells: I am not denying anything at this point.

ARK EDEN NURSING HOME

Mr. Rae: Mr. Speaker, I would like to address

a question to the acting Minister of Health concerning the Ark Eden Nursing Home. I am sure the minister will be aware by this time that a 21-year-old former resident of the home died on Sunday at the York County Hospital in Newmarket.

He was one of those people identified in the report on the nursing inspection that took place on June 29 and June 30. The nursing inspector said, "On further review, I have concerns about some areas of nursing and medical care which, in my view, could jeopardize the health and safety of the residents." She specifically mentions Michael Watson as one of those residents.

The minister will know that of the 42 residents who were in the Ark Eden Nursing Home, five have been removed to specialized care; five are expected to go to a group home in Richmond Hill before Christmas; five will go to a Barrie group home which is now under construction, and we hope they will go before Christmas; five will go to an adult group home in Barrie around Christmas; and three or four will go to Oshawa group homes, but the time frame is unclear.

There are 19 or 20 residents who are supposed to be going to Metropolitan Toronto, but there is no firm understanding, arrangement or timetable arranged for those residents.

Mr. Speaker: Question, please.

Mr. Rae: I wonder whether the minister could give the House an update with respect to the placement plans for all the residents at the Ark Eden Nursing Home. Could he give us some assurance that these transfers will be completed as soon as possible?

2:30 p.m.

Hon. Mr. Wells: Mr. Speaker, I will take that question as notice and give an update as soon as I can.

Mr. Rae: I say with great respect to the minister, there are pressing matters in nursing homes which really do merit an answer and the full attention of the government and, I dare say, the full attention of the minister.

Can the minister explain the letter that was written by Mr. Paul Klamer on August 26, 1981, to the administrator of the Ark Eden Nursing Home? At that time Mr. Klamer said: "I am prepared to defer renovations with regard to environmental health deficiencies." He said he was prepared to defer them until Mr. Bennett was aware of what the triministry program

would require. We are still waiting for the requirements of the triministry program.

How can the minister justify a letter from the chief of the nursing home inspection service which meant there would be a perpetuation of the problems with respect to environmental health, the size and structure of beds and so forth for an extended period of time? How can he justify that kind of correspondence between the chief of the nursing home inspection service and the administrator of this nursing home?

Hon. Mr. Wells: I will have to take that as notice also. I will look into it and comment on it to the honourable member. I cannot do any more than that at this time.

Mr. Rae: This matter was before the minister the first day he appeared in the Legislature. The question of nursing home inquests is one to which his attention has been directed on a number of occasions.

Today, I had a conversation with the paediatrician who was in charge of the care for young Michael Watson at the hospital. He said very real concerns had been expressed, and were indeed expressed at the inquest involving the death of Richard Thomas, focusing on the issue of training, especially with respect to the adequacy of the training of staff for those residents with chronic respiratory problems.

Can the minister tell us precisely what progress has been made with respect to the training of nurses who are today, at this very moment, providing care for literally hundreds of mentally retarded residents in private-profit nursing homes? Precisely what kind of progress has been made with regard to the training of those nurses in terms of the kind of care they are providing for the residents of these homes?

Hon. Mr. Wells: The member is talking about the case of Michael Watson. There is a post-mortem to be held today. As far as I can ascertain in preliminary investigations or discussions that I had this morning, care in the nursing home is not in question in the case of Michael Watson. Perhaps we are stretching it a little far to link that to some of the other events in that home.

Mr. Speaker: New question; the member for York South.

Mr. Rae: Mr. Speaker, I thought I saw through the side of one eye the apparition of the Attorney General (Mr. McMurtry). He appears to have disappeared once again. I do have a very important question for him with regard to a decision of the Supreme Court of Ontario this

morning in relation to the Inflation Restraint Act. I really would like to be able to pose that question directly to him. May I stand the question down until he arrives?

Mr. Speaker: Yes. The member for Essex South. Oh, just a minute. Order, please.

Mr. Rae: I understand he is coming.

Interjections.

Mr. Speaker: The member will proceed with his question.

Mr. Rae: I hope the Attorney General can stay for the whole question period. It would be nice to see him.

Mr. Martel: Is the minister canvassing already?

Mr. Laughren: When is the nomination?

Interjections.

Mr. Speaker: Order.

INFLATION RESTRAINT LEGISLATION

Mr. Rae: Mr. Speaker, my question for the Attorney General relates to the decision on the Inflation Restraint Act that was tabled this morning by the three judges of the divisional court of the Supreme Court of Ontario.

I am sure the Attorney General will be aware of the unanimous decision of the three judges. They found that the section of the Inflation Restraint Act that takes away the freedom to bargain and the freedom to organize is unconstitutional and of no force and effect.

I would like to ask the Attorney General how the government is going to respond to that decision, given the impact it has on a major piece of legislation in this province.

Hon. Mr. McMurtry: Mr. Speaker, I have not seen the judgement. I understand it is a very lengthy one. I do not wish to comment on it until I have had the opportunity of reading it, which I think is a reasonable course of action.

Mr. Rae: I hope the Speaker will allow me to quote from the decision in order to ask the question. Mr. Justice Smith, who was one of the three judges in this case, in commenting on the submission of the Attorney General, said:

"The Attorney General submits that the applicants have failed to meet the initial onus of demonstrating that 'freedom of association' protects the specific freedoms asserted. He is saying in effect that they are qualified freedoms. I am of the view that the submission must be rejected lest the charter become emasculated by some undefinable process that would proceed from one case to the next on the basis of ad hocery."

I would like to ask the Attorney General how he intends to respond to a judgement that really cuts out from under the government the principal arguments it made in the Divisional Court with respect to the Inflation Restraint Act in dealing with the specific question of the freedom to organize and the freedom to bargain collectively. It says specifically that the charter would become emasculated if the arguments of the Attorney General of this province were adopted by the court.

Hon. Mr. McMurtry: As I recall, Mr. John Sopinka, QC, a distinguished counsel of the private sector, argued this case on behalf of the government—I will be more particular, on behalf of the Ministry of Labour. I have not had an opportunity of either reading the judgement or discussing the judgement with him or anyone else. I am not going to simply adopt the honourable member's characterization or his interpretation of the judgement. On this side of the House, we have found it would be a rather risky course of action to pursue, just to adopt with some degree of blind faith the member's interpretation of a judgement or of anything else.

Mr. Rae: When this legislation was being debated, we specifically asked the Attorney General to table a constitutional opinion with respect to the impact of the Charter of Rights on this document. Given the fact that the court makes it very clear that the charter changes the nature and rules of the game with respect to freedom and with respect to the sovereignty of the Legislature in this province, can he guarantee that before we are presented with any other legislation with respect to the freedom of association or the freedom to bargain in this province, at least we will have the clear opinion of the Attorney General with respect to its impact on the Charter of Rights?

Hon. Mr. McMurtry: In this particular case, I know that the opinion of the senior law officers of the crown was obtained. Their opinion made, and still does make, great sense to me.

PROSTHETIC DEVICES FINANCIAL ASSISTANCE

Mr. Mancini: Mr. Speaker, the acting Minister of Health is aware that the Conservative government's program to offer assistance to Ontario citizens who are in need of assistive devices is extremely poor. The government offers no assistance whatsoever to women who have undergone mastectomies and are in need of breast prostheses or surgical brassieres.

In view of the fact that the most recent statistics from the Ministry of Health show that nearly 6,000 women in 1981-82 have undergone mastectomies and that 2,450 of those operations have been described as radical surgery, could the minister please give his views as to why the government of Ontario does not provide assistance through the Ontario health insurance plan?

2:40 p.m.

Hon. Mr. Wells: Mr. Speaker, at the minute, we have a program for those 18 and under. When that program was announced, it was suggested that after it had operated for a while it would be reviewed and then a decision would be made as to its extension. I cannot really tell the member anything more than that. I certainly cannot tell him that we are going to extend that program at this time.

Mr. Mancini: I am told that one woman in 10 will eventually get breast cancer, so the minister's answer for a long-term review is really inadequate. The acting Minister of Health will know that the Deputy Premier and Minister responsible for Women's Issues (Mr. Welch) will be travelling to Windsor this Friday to attend a seminar being sponsored by the Women's Incentive Centre of Windsor.

The minister will be having a cabinet meeting on Wednesday. Can he assure me and the House that this matter of prosthetic devices will be discussed at the cabinet meeting? Maybe we could have an announcement by the Deputy Premier, when he travels to Windsor, that the Ontario health insurance plan will cover breast prostheses and surgical brassieres.

Hon. Mr. Wells: I certainly cannot guarantee the member that it will be discussed at cabinet, and I cannot tell him whether it will or will not, because we do not publish the agenda of what is discussed at cabinet. A number of things are discussed there and in the fullness of time they become public through announcements.

I can assure the member, as I just said, that based on the experience of the program that was introduced and the assurances that were given then, reviews are being made. I am sure the Deputy Premier, in his capacity as Minister responsible for Women's Issues, will be bringing up the matter the member has indicated and it will receive a thorough study in the review that goes on. I did not say it would be a long-term review.

Mr. Martel: Mr. Speaker, due to the fact that I have had private member's bill now for about

four years based on a number of cases I have had to present before the health board, and that the minister and his predecessor had an opportunity to look at that legislation on a number of occasions, when is he going to be prepared to introduce that type of legislation which protects women?

Hon. Mr. Wells: Mr. Speaker, I think I answered the question for my friend a minute ago.

Mr. Martel: You mean never.

Hon. Mr. Wells: No, I did not say never. I said it is under review.

SUDBURY HOUSING

Mr. Laughren: Mr. Speaker, has the Attorney General been made aware that in the Sudbury area we have a housing crisis for low and middle-income families? There are more than 260 families with more than 60 points on the requirements for getting into subsidized housing, and they have been given the back of the hand by both his Minister of Municipal Affairs and Housing (Mr. Bennett) and the federal minister for housing.

Last Monday, a week ago today, a homeless family, Mr. and Mrs. Ken Landry, moved into an empty house owned by Central Mortgage and Housing Corp. The police have indicated they are going to lay charges under the Trespass to Property Act against the Landry family. Would the Attorney General, in view of the seriousness of the problem, declare a moratorium on trespass charges against homeless families who have moved into government-owned houses?

Hon. Mr. McMurtry: Mr. Speaker, the Attorney General does not have any jurisdiction to declare any such moratorium in relation to offences under that provincial legislation or offences under any other provincial legislation. The responsibility for laying charges under provincial legislation is fundamentally with the law enforcement officers who have the responsibility for investigating these matters.

In discharging their important responsibilities in this respect, law enforcement officers do have a prosecutorial discretion as to whether it is in the public interest to lay charges in a particular case. This prosecutorial discretion in the public interest is exercised daily by law enforcement officers with respect to various provincial offences as a matter of public interest.

The Attorney General has no authority to declare a moratorium on the laying of charges.

After a charge is laid with the crown attorney's office, if it is a matter that is being handled by the local crown attorney's office, if it appears there is a clear public interest reason for not proceeding, the proceedings can be stayed. But we have no authority to declare a moratorium in advance.

Mr. Laughren: Would the minister stay the prosecution, to use his own words? If not, would the minister tell us just who should be responsible in this province, which is governed by the members opposite, for homeless families who have no place to live when charges are laid against them by the police and they are put out on the street? Where does the responsibility begin and end under the minister's system of government?

Hon. Mr. McMurtry: When it comes to issues with respect to housing, I do not think the Attorney General is the appropriate minister to whom to direct the question.

Mr. Speaker: Final supplementary, the member for London North (Mr. Van Horne).

Mr. Laughren: On a point of order, Mr. Speaker: Would you allow me to redirect that question to the Solicitor General (Mr. G. W. Taylor)? The Attorney General indicated that might be more appropriate.

Mr. Speaker: I cannot do that without the Attorney General indicating that.

Mr. Laughren: I think he indicated in his response that the question might be better put to the Solicitor General.

Mr. Speaker: I did not hear the direction.

Mr. Laughren: I did.

Mr. Speaker: I have already recognized a final supplementary by the member for London North.

Mr. Laughren: Boy, oh boy.

Mr. Speaker: Order. With all respect, just one moment please; you may sit down in disgust and not be satisfied, but I am telling you I did not hear the Attorney General direct me to redirect the question.

Hon. Mr. McMurtry: I did not, Mr. Speaker.

Mr. Van Horne: Mr. Speaker, given the same concern as the member for Nickel Belt has, I would ask the Attorney General if he would redirect or direct comments to the Solicitor General or to whichever ministry he feels would be appropriate. Surely they are not going to sit there and just let the people in the Sudbury region who become homeless fall into the hands

of the law for reasons such as this. Would the Attorney General direct the issue to the Solicitor General or the appropriate minister?

Hon. Mr. McMurtry: Mr. Speaker, that is not the procedure that is followed in this House. Obviously, we are all concerned about people who, for reasons often beyond their own control, are left homeless or destitute and are in need. These issues are dealt with on an individual basis.

The members opposite are trying to take important issues such as this and twist them into some sort of law enforcement issue when they may not be law enforcement issues at all. We look at individual cases. If the member wants to communicate the details of an individual case and his concerns, we will deal with them. Let us not play silly games over what may be a very serious issue.

PORT ARTHUR SHIPYARDS

Mr. Hennessy: Mr. Speaker, I direct my question to the Minister of Labour. The Port Arthur shipyards have laid off 200 workmen recently and on September 30 management locked out 65 employees. This is creating a severe hardship on the families of the workers. Would the minister look into getting both parties back together through the appointment of a mediator? It is very difficult for people. Those who came to see me to discuss the situation are at their wits' end because of financial and other problems.

Hon. Mr. Ramsay: Mr. Speaker, I believe a mediator was appointed back on June 20. Several meetings were held at that time, but the talks were adjourned pending the outcome of the Collingwood settlement. The talks and mediation resumed on September 19 or September 20, sometime around then. On September 26 a final offer was rejected and on September 30 a lockout commenced.

It is my understanding that Mr. Ray Illing, the head of our conciliation and mediation department, is now determining whether he can get the parties involved in further mediation. He is certainly attempting to do so, but he has to have the consent of both parties.

2:50 p.m.

RENT REVIEW APPEAL DECISION

Mr. Bradley: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. I would like the minister's comments on a rent review appeal decision released on

October 12, 1982, against the tenants at 20 Tremont Drive in St. Catharines. The minister will know it would have implications right across the province. Not only are there interlocking directors between the new owner of this building and the former owner, but each of these two companies is owned by a separate Liechtenstein company, the beneficiaries of which are unknown.

When the residential tenancy commissioners at the original hearing and the appeal hearing asked the landlord to demonstrate that the sale was arm's length, the company did not come forward with conclusive evidence to support its case, yet substantial increases were passed through to the tenants as a result of the alleged sale. How are tenants supposed to have faith in the rent review process if they are faced with increases when it has not been determined to anyone's satisfaction that a bona fide arm's-length sale actually took place?

Hon. Mr. Elgie: Mr. Speaker, I clearly do not have information about specific hearings that are dealt with by the appeal commissioners or the individual commissioners, but I know, as the member knows and as the House knows, the appeal commission and commissioners have periodically indicated that certain information was necessary for them before they would make a determination about whether rent hearings and rent increases should proceed.

They have shown that they have the power and capacity to deal with those issues. The chairman of the Residential Tenancy Commission was before our standing committee last November. We affirmed that position; and that appeal has been before an appeal panel consisting of members of that tenancy commission. I really cannot add to that.

Mr. Bradley: I know the government has responded to a situation last year, I believe it was, by designing a disclosure form for landlords to complete when their application involves financing due to a resale. The government has done that. I think the form states the following, "Failure to file the requested information may result in your application being deferred or rejected in whole or in part." Yet in this case failure to comply had absolutely no effect on the outcome. In essence, the tenants were penalized for being unable to prove absolutely that a sale was not at arm's length.

Would the minister not agree that in these types of cases the onus for proving that sales are bona fide should fall on the landlord rather than the tenants? Does it not then follow that, when

the evidence is inconclusive and the landlord is unwilling to clarify the situation, the commission would be in error to conclude a sale is bona fide?

Hon. Mr. Elgie: The member knows full well that if any party feels aggrieved and feels there has been some impropriety with respect to the process, it is open to him or her to commence a judicial review application. From what the member tells me, that has not been done in this case. I must assume, therefore, that the parties did not feel it was a matter warranting a judicial review.

In any event, I want to clear up one other misstatement the member made, and that was that the government prepared certain forms. The government did not. The Residential Tenancy Commission did and, as the member knows, it operates in an arm's-length relationship with the government.

NIAGARA REGIONAL POLICE

Mr. Swart: Mr. Speaker, I have a new question for the Solicitor General. Why is the proposed investigation into the Niagara Regional Police which he announced on October 13 so confined as to deal only with Mr. Kormos's charges of brutality when there is so much other information and so many allegations about misconduct of the force, particularly at the top, as reported over and over again by the Canadian Broadcasting Corp. and the St. Catharines Standard?

Further, is it not true that Detective Inspector Louis Okmanas of the Ontario Provincial Police, after interviewing gun dealer Mark DeMarco relative to his relationship with the police, suggested on page 29 of his 30-page report to Deputy Solicitor General Rod McLeod, dated June 23, 1983, that a public hearing by the Ontario Police Commission could prove to be the best avenue of ferreting out the truth in the accusations?

Why has the minister sat on that recommendation for almost four months and, with the additional accusations about brutality which have now been made, why did he not go the route of a public inquiry instead of calling for this very limited investigation?

Hon. G. W. Taylor: Mr. Speaker, in all these matters I know the opposition members often want the most elaborate of investigations, which are sometimes not warranted. A public investigation in this matter is not warranted in my judgement at this time. There were a few instances and a few complaints. The matter will

best be looked at by the Ontario Police Commission which is reviewing the matter.

There are two methods of investigation, both by the Ontario Provincial Police and by an independent police body that will look at the issues that are before them. When they have completed their findings, if there is something more warranted, I will look at it at that time and make a recommendation on whether a large scale investigation or a hearing of a larger scale is necessary.

Mr. Swart: How will the minister know if anything further is warranted unless he hears from the people in the area and those who would like to bring evidence?

Specifically, he must be aware of the prevalent public opinion in the Niagara region that investigations of complaints lodged against the police are considered "a joke or a farce." That is a quote from the Standard.

Specifically, I wanted to ask about the case of Laurianne Robert, a businesswoman in St. Catharines, who was allegedly roughed up by the police on Christmas Eve 1981. Does it not bother the minister and seem a negation of justice that she was never interviewed by any investigator from the police force prior to the chief's report exonerating his officer?

Does it not bother the minister that the police commission has refused to hear her complaint unless "she determines to take neither civil nor criminal action against our police officers." Should this incident not in itself convince him that a wide-ranging inquiry is needed? Would he not broaden the investigation to hear all those who have complaints against the police force, its chief and the commission?

Hon. G. W. Taylor: I know the member would like a very wide and full fishing expedition on all of these matters, but the police force in Niagara, like all police forces, has a procedure whereby one can make one's complaints. Complaints are followed up and heard by the local commission. If a person is not satisfied, he can go to the Ontario Police Commission.

There is a formalized method for people to use to put their complaints. It is not unusual that there are many newspapers that carry reports of this nature, some accurate, some not always as accurate, some not as well-founded as others; but one can say when these are all completed, each and every one is investigated.

Each citizen in Niagara region has the opportunity to put them before the forum that will hear them at that particular time. I am sure the police chief and the police commission in

Niagara would hear these matters in the normal course of events.

WHITE FARM EQUIPMENT CANADA LTD.

Mr. Gillies: Mr. Speaker, my question is for the Minister of Industry and Trade, whom I welcome back to this time zone, and it arises out of the good news we learned over the weekend, which is that apparently Borg-Warner's rescue mission on White Farm Equipment Canada Ltd. will be successful.

Will the minister and his officials in the Ontario Development Corp. continue to work with the receiver and creditors and White Farm, so the bid does not fail in the final stages and 500 people in Brant county can be put back to work?

Hon. F. S. Miller: Mr. Speaker, I certainly will. I am delighted to be asked the question.

I understand the member for Brant-Oxford-Norfolk (Mr. Nixon) asked a number of questions while I was away. I also understood he attended a meeting this morning, taking the credit for all of these things, but I understood that while I was away he was blaming me for the lack of progress. So I guess it is a very convenient world we all live in.

The fact is, some of the major objectives in that area have been achieved. A company with enough financial backing has made an offer to take over the assets of the company at what seems to be a fair price. Also, the company will stay both in Ontario and Brantford, where we always felt it should be.

Mr. Nixon: I never heard the minister say anything about that.

Hon. F. S. Miller: I was never here as Minister of Industry and Trade.

Mr. Speaker: Never mind the interjections please.

Hon. F. S. Miller: I can assure the member, having lived in that fine city at one time in my life, I have always appreciated that it is one of the nicest places in Canada to live.

3 p.m.

Mr. Nixon: Mr. Speaker, if the former Treasurer had been there this morning, he would have been very proud of his colleague the member for Brantford (Mr. Gillies) indicating that the Premier (Mr. Davis) had declared unequivocally on Friday it was not the policy of the government to allow the company to move out west. Naturally, the decision that it not move out west had been made before that. It was almost as artful as the federal New Demo-

cratic Party member saying that he was against it moving out west when his comments a week ago had been somewhat different.

Even though the minister and his colleagues have been standing on the sidelines on this matter all along, leaving the federal government to take the responsibility in this regard, can he tell us who or what the management team will be that will take over the administration of the company, which will be kept going solely with the federal and provincial guarantees from before but with the new infusion of American capital?

Hon. F. S. Miller: Mr. Speaker, the answer is, no, I do not know. I may know later on. The member mentioned that I would have been proud of my colleague the member for Brantford. I am always proud of my colleague from Brantford; he is one of our brighter members in this House, and I predict a great future for him. When you start at his age, you can probably get 50 years seniority in here.

I would take some exception to sitting quietly on the sidelines when there is as important a rescue mission to achieve as the maintenance of jobs at that company. I think the member would agree it is not an issue of which to make a political football. We have talked a number of times, between Ontario and Canada, in the course of trying to find a solution. I am delighted to say it has always been with very good help from both sides and with no attempt to start throwing any kind of blame in either direction. The member may not have quite seen it that way, but that was always the way it seemed to be in dealing with Mr. Lumley and others. I appreciated that because the member knows how easy it is to do those other things.

DUTY-FREE SHOPS

Mr. Newman: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations concerning the opening of the duty-free shops in Ontario.

The minister will recall my question to him in June 1982 on this very same subject. At that time he announced his preparation to discuss the matter with the Minister of National Revenue. He repeated that willingness to my colleague the member for Kitchener (Mr. Breithaupt) during his ministry estimates five months later. That is some 16 months ago. We have no agreement and no duty-free shops as yet. Has the minister met with the federal minister, as he led us to believe he would? If so, will he advise

the House of the substance of his conversation with his federal counterpart?

Hon. Mr. Elgie: Mr. Speaker, I thank the member for this inquiry. It is true, he has raised this matter on several occasions and with some justification, as have members on my side of the House, the member for Sarnia (Mr. Brandt) and other members, who have interests because of the close association of their ridings with the border of Ontario and the neighbouring states.

Last time I told the member that from our point of view there had been an agreement reached in about 1975, but subsequently it seemed not to be one that was acceptable to our federal counterparts and so negotiations had been, to put it mildly, stalled for some time. I did meet with the Honourable Pierre Bussières in June or July. We had lengthy discussions about it. I have had discussions with my cabinet colleagues about it and I think we are on the path to a resolution of the issue. Representatives of the Liquor Control Board of Ontario have been having further follow-up meetings with Mr. Bussières' staff, and I hope we will be able to make some sort of announcement within the next few months.

In saying that, let me also say to the member, let us not forget that the existing duty-free shops are pilot projects. It is my understanding that the pilot project phase is through. This province would not be looking at pilot projects but at a final determination of the issue made between the federal government and ourselves, and that is the kind of negotiation we are involved in at the present time.

Mr. Newman: The minister realizes that Windsor is probably the busiest border area in Canada. Fort Erie, Niagara Falls and Sarnia also would substantially benefit by duty-free shops. I made mention a year or so ago of other provinces that have already agreed to compromise on their position with respect to duty-free shops. Why has the minister not used his good offices to convince our federal colleagues that it would be in the best interests of a series of border communities if duty-free shops were established?

Hon. Mr. Elgie: I do not think the member and I are at odds about this issue at all. It really has been a matter of methodology. As I said to him earlier today and on previous occasions, the LCBO and the government thought there was an understanding.

Indeed, I have read detailed summaries of discussions which the government and I thought had resolved it, but subsequently a determina-

tion was made by the federal government—I believe it was within the past two years or so—that the agreement would not apply to this province; rather, the type of agreement proposed by the federal government would be the one we had to accept. There are now two types of agreements with different provinces in this country, one type with Quebec and another type with two or three other provinces.

I am no less determined than the member that this matter will be resolved. I will continue to pursue that, and I think we will be able to reach an accommodation.

LAYOFFS AT ALLEN INDUSTRIES CANADA

Mr. Mackenzie: Mr. Speaker, I have a question of the Minister of Labour. Inasmuch as one of the company officials at Allen Industries, Mr. Ryan, indicated in the paper on Saturday that the Ontario government had been notified of this latest closure, can the minister tell us what he intends to do about the 232 additional workers at Allen Industries who are being dumped on the industrial scrapheap and are joining their 200 brothers and sisters of last May?

Hon. Mr. Ramsay: Mr. Speaker, I will be having meetings as soon as possible with the parties involved. I just do not have any easy solution to the problem that I can share with the member today.

Mr. Mackenzie: The minister recognizes that there are many long-seniority people and female workers in that plant. That now finishes this plant entirely.

The minister will recall that he asked us to make some positive suggestions. I am wondering if he will not take a look at the justification procedure, which he has up till now refused to do. I point out that when they closed the fibre plant and discharged the 200 workers last May, the indications were that business had picked up at that trim plant. At least we should have some justification procedure.

Will the minister also now take a look and tell us what he is going to do to step up the whole content legislation approach, which was recommended by the automotive task force as one move that could have some effect on the kind of industrial automotive jobs that are kept in Ontario rather than having them all leave, as we now see in this case again?

Hon. Mr. Ramsay: When we meet with the company officials on plant closures, we do try to

ascertain the business and rationalization, all the various reasons for closure, cutbacks, whatever the case may be. I want to emphasize this because it is very important. We do not just call these people in and have them tell us that things are not so good, so they are going to lay off so many people. We do go a lot further than that. I do not know how much further legislation would go than we are able to do at present. That is the reason for the lack of enthusiasm on my part for bringing forth legislation to justify these closures.

As to the second part of the question on the content in the automotive industry, I would like to suggest that be passed along to my colleague the Minister of Industry and Trade (Mr. F. S. Miller).

Mr. Speaker: Was that a redirection?

Hon. Mr. Ramsay: Yes.

Mr. Speaker: The Minister of Industry and Trade. Obviously he is not ready. The member for Hamilton Centre.

Ms. Copps: Mr. Speaker, while the minister is meeting or planning to meet with officials regarding the situation in Allen Industries, I wonder if he might also investigate complaints I have received from pensioners who are widows of former employees. They have been advised that, as a result of the company's shutdown, they will be losing all the pension plans they have had and continue to have to date with the company. As the company goes to the United States, so does the pension plan. I wonder if the minister might get some more information on that.

3:10 p.m.

Hon. Mr. Ramsay: I am pleased the honourable member has brought that to my attention. That is a very serious matter, and I will certainly be happy to look into it.

HYDRO RIGHTS OF WAY

Mr. Ruston: Mr. Speaker, I have a question for the Minister of Energy. Being a farmer, the minister can realize and respect the problem I want to bring to his attention, that is, the rental of farm land where Ontario Hydro has purchased a right of way. Some of these are very narrow areas with many posts to work around and so forth. In the last three years in some areas I am aware of, they were charging \$9 an acre rent for this land. For 1984 and three years thereafter, they are raising that to \$18.

Is the minister aware of this? Does he not think that is a pretty large jump for the type of conditions one has to work around? This land is

situated through the centre of farms. They have their own land on each side and it is an awful lot of bother. It seems to me that is quite an increase.

Hon. Mr. Andrewes: Mr. Speaker, it is my understanding that when Hydro purchases rights of way through farm land, the owner from whom it makes the original purchase has the option of leasing this land back on a long-standing lease at a very reasonable cost. If it is more than \$1, then it is still a bargain. However, as the property changes hands, Hydro's policy has been, as far as I am concerned, to make the property available to the new land owner at considerably less than market value.

If the honourable member has figures that would indicate these prices are in excess of market value or in excess of the policy guidelines as put down by Ontario Hydro, I would like to discuss that with him.

VISITOR

Mr. Speaker: I would ask all honourable members to join with me in welcoming a guest in the Speaker's gallery in the person of Mr. Justice Philp of Manitoba, who is accompanied by his wife, Mrs. Philp.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. Conway: Mr. Speaker, I have for tabling in this House a petition signed by 87 teachers from Champlain High School in Pembroke and MacKenzie High School in Deep River, requesting the restoration forthwith of their free collecting bargaining rights under Bill 100.

Mr. Eakins: Mr. Speaker, I also have a petition which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition bears 50 teachers' signatures and represents Ops Elementary, Mariposa Elementary, Coboconk Elementary and Bobcaygeon Elementary, all schools in the great county of Victoria.

Mr. Rae: Mr. Speaker, in light of the decision of the Supreme Court of Ontario this morning, I take particular pleasure in presenting to the Legislature and to you, sir, this petition signed by literally hundreds of teachers in the borough of York, with respect to the legislation which was opposed alone by the New Democratic party of Ontario and supported by members of the Liberal Party and the Conservative government. It reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

Mr. McGuigan: Mr. Speaker, I have a petition which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by 102 teachers—18 from Dresden Area Central School, 25 from Tilbury Public School, 12 from Ridgeway Public School, 12 from Orford Township Public School situated at Highgate, 10 at Howard-Harwich-Moravian

Public School at Ridgeway, 17 from Merlin Area Public School, two from Zone Central Public School at Bothwell and six from W. J. Baird Public School at Blenheim.

Mr. Wildman: Mr. Speaker, I have a petition which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights";—which seems to have been confirmed by the court today—"and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms";—again confirmed by the court—

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 69 teachers from the Central Algoma Board of Education as follows: Thessalon Township School, St. Joseph Island Central School, Johnson-Tarbutt Central School, Echo Bay Central School, Bruce Mines Central School, Laird Central School and Thessalon Primary and Senior School.

It is signed by those teachers who are particularly concerned about the effects of restraints on pensions for retiring teachers.

I also have a similar petition signed by 91 teachers from the North Shore Board of Education from Roman Avenue Public School, Central Avenue Public School, Dieppe Public School and Westhill School in Elliot Lake.

Mr. Hennessy: Mr. Speaker, I have a petition which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore

our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 78 teachers.

Mr. Breithaupt: Mr. Speaker, I too have a petition in the form that has been brought in this afternoon with respect to the Inflation Restraint Act. It is signed by 18 teachers of Meadowlane Public School in Kitchener.

Mr. Allen: Mr. Speaker, I have a petition to the same effect, a further petition from Hamilton teachers from the Westdale Secondary School, 37 of whom petition the Ontario Legislature to restore their free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act.

3:20 p.m.

Mr. Laughren: Mr. Speaker, I have a petition which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

These petitions are from a number of schools, including George Vanier elementary school, Algonquin Road elementary school, Lindsley elementary school, Levack elementary school and Alexander elementary school in the riding of Nickel Belt.

I would think these petitions would have particular import in view of the court judgement this morning.

Hon. Mr. Gregory: Mr. Speaker, I have a petition with wording similar to what we have heard so many times today, signed by 135 teachers from Applewood Heights Secondary School and Glenforest Secondary School in my riding.

ORDERS OF THE DAY INTERIM SUPPLY (continued)

Resuming the adjourned debate on the motion for interim supply for the period November 1, 1983, to December 31, 1983.

Mr. T. P. Reid: Mr. Speaker, when the Treasurer (Mr. Grossman) introduced this motion into the House, I was surprised that he merely introduced it and sat down, without giving us a sort of "state of the economy" or "state of the budget" speech.

It was interesting that when the House resumed in October, he indicated that he had accepted the idea of my leader and myself that there should be an update on the budget and that he would give a state of the economy address, I presume, on November 1 or thereabouts when he discusses the continuance of the government's restraint program.

Strange, in a sense, because the new Treasurer does not miss too many opportunities to—

Mr. Martel: Talk.

Mr. T. P. Reid: —say something about something; or to talk, as my friend says, perhaps without saying very much about anything.

Before we vote on interim supply, we on this side would be very interested to know what the new Treasurer's views are in terms of unemployment in the province, in terms of the budget and in terms of whether the revenues of the province are coming in at the suggested 7.9 per cent above last year's revenues as the former Treasurer, now the Minister of Industry and Trade (Mr. F. S. Miller), indicated in his budget of last May. We would also be interested know whether the Treasurer or his predecessor has been successful in cutting some \$300 million out of the budget plan, which would mean that the expenditures for this fiscal year would be some \$24.71 billion.

I find it strange that, given this opportunity, the Treasurer would not have commented on some of these issues.

This afternoon, I wish to restrict my remarks to two or three matters. These are matters that have had some debate in this chamber and in the standing committee on public accounts; and were part of a Canadian Broadcasting Corp. newscast not too long ago, with the CBC's Mr. Dale Goldhawk, in which the Treasurer and myself were asked to appear live—if either one of us can do that—on the program to comment on government expenditures, in particular as

they relate to advertising, publicity and now, I might add, to contracted-out speechwriting.

This is a matter I have raised over some years; that is, just what amount of taxpayers' money has been spent on these particular matters. It has not been easy to find. A year ago the public accounts committee asked the Provincial Auditor to do some work on this. The auditor gave us his report, which was disputed by some of the government people, and in fact it is obvious that no one knows exactly how many taxpayers' dollars are spent on public relations for this government.

I would like to draw attention to the fact that we on this side have indicated for years that we are convinced that government advertising increases exponentially as an election grows closer. In 1978-79—and I am using the government codes through Management Board—under codes 411 and 412 the combined total of advertising was roughly \$17.9 million. In 1979-80 those two combined codes came to \$23.9 million. In 1980-81, which was the election year, those combined totals came to \$40.4 million, almost a 50 per cent increase. Of course, those were the days of the commercials of "Preserve it, conserve it" and all that sort of thing.

It has been absolutely impossible for anyone looking at these matters to find out just how much is involved in this government enterprise. It has been estimated, for instance, that the total advertising budget of this government amounts to something like \$100 million, when adding in all the advertising that goes on: the staff, the contracted-out work, the public opinion polls and the contracting to, to use the minister's words, "stage manage" various affairs.

It is interesting that a supposed expert in this area, one J. Patrick Boyer, whose father was a member of this august assembly when I first entered it and who was an executive assistant to one of the ministers, has written a book and a series of articles on government advertising. One particular article is entitled "Government Advertising: Some Wheat, Some Chaff." In it he states:

"Our manipulative governments of today with their consorts, the politically sensitized ad agencies, have become worthy successors to that tradition of simple-minded solutions." Farther down, "In like vein, the Progressive Conservative Party in Ontario spent more than \$8 million in advertising in a five-month period in 1980, double the amount for the same period in 1979. A campaign costing \$3 million told Ontarians they had a good life and a pretty province. 'Life

is good Ontario,' said the jingle, 'Preserve it, conserve it, Ontario.' Opponents saw a subliminal phrase on behalf of the Progressive Conservatives of Ontario in the words 'Preserve it, conserve it.'"

The article goes on to talk about many things, one of which was the brainwashing aspect of government advertising. There was also the kind of advocacy advertising or self-congratulatory advertising that this government does. One of the aspects that Boyer and others who have spent some time thinking about these matters talk about is the fact that this government approach, particularly the kind of advocacy advertising that the government does, means that only the rich are able to advertise and have their point of view put forward.

One of the references in the material I have here is that some of the many public opinion polls the Ontario government takes with taxpayers' money and will not let see the light of day—incidentally, I do not have the 1982-83 public opinion polls I asked for yet—indicated that people were concerned about the environment and the fact that the government was not doing enough for the environment. As the article states, it is easier to advertise and say they are doing something about the environment than it is to do something about it.

3:30 p.m.

In other words, the perception is all; and if the perception through advertising can convince people that the Ontario government is doing something about pollution and the environment, that is better than actually dealing with acid rain, waste in the Niagara Peninsula and all the rest of it.

Boyer concludes this article with a phrase that I hope will stick in the minds of some of the people on the other side. The man said, "Good government needs no advertising; it speaks for itself." The Conservative government of Ontario obviously does not feel that way. All of this ties in with the supposed restraint package of the Ontario government.

In a May 22, 1982, article, Eric Dowd, one of our more perceptive thinkers in the press gallery, wrote a column about this very matter. He pointed out:

"Despite repeated requests over the years, the province has still not found it possible to put a figure on the cost of work it now contracts out, which includes everything from speechwriting to landscaping. He, 'Miller,' has done nothing to reduce the suspicion that the province is now able to manage with fewer of its own employees

partly because it is paying someone else's employees to do much of the work. After all, Ontario's spending has doubled while its employees have been going down.

"The government's communication staff have grown, despite the so-called economy wave. The province lists 324 of its employees as communicators, not including clerical and support staff, compared to the 200 Management Board Chairman George McCague admitted to two years ago, and three times as many as when Premier William Davis took office in 1971."

I have asked questions in successive years, starting in 1975, in 1977 and up to 1982, about the number of people who are in public relations or information officers in this regard. I do not want to go over all of them again, but it is interesting, for instance, that in 1975, when I first asked this question, the Ministry of Energy had not really been formulated; when it got going, it went from three members to at least seven in that area.

The interesting thing is that we had the Ministry of Energy people before the public accounts committee about a year or a year and a half ago, because the auditor had indicated to us that those people had spent about \$40,000 of taxpayers' money printing a pamphlet on saving energy which duplicated, almost word for word, the same pamphlet that had been made available through the federal Department of Energy, Mines and Resources. It was hardly changed. All they did was put on the Ontario logo, stamp on the minister's name, whoever it was, and that of the Premier (Mr. Davis).

Hon. Mr. Elgie: It looked a lot better, though.

Mr. T. P. Reid: I do not think it did look better, but just the printing of the brochures cost \$40,000. Mr. Speaker, I am sure in your elevated position even you will be upset that the salaries ranges up to something like \$53,000 for the directors of these things. If you want, I could read into the record the further comments of Mr. Dowd about trying to catch or find any of these people in their ministries who can answer any questions.

Mr. Dowd goes on to say that the people in the press gallery seldom, if ever, ask the information officers or the public relations people any questions because (a) they never know, (b) they cannot be bothered to find out or (c) they do not know what the information is and it is faster to get it from another source.

If one looks at the information provided to me in response to my question of June 24, 1982, one will see that the salary ranges are \$36,550 to

\$48,325, and they range up to \$53,300 depending on where one is. This is a horrendous expense to the people of Ontario, especially when, as I have indicated before, most of this is not describing or announcing programs, or changes in programs or in legislation, but simply self-congratulatory pap aimed at the re-election of the provincial Tories, or to put out and put abroad the perception that the government is dealing with problems when it is not.

This leads me to recent events. In the background of restraint, how we justify these matters or how the Premier can justify them boggles the mind. We had the sorry spectacle just last week of the contracts to two friends of the Provincial Secretary for Justice (Mr. Walker) to the tune of something like \$400,000, neither of which was tendered.

We also had the sorry case of the Deputy Minister of Government Services putting out contracts at \$900-a-day, even, apparently, over the objections of his minister, who got dumped as a result of having the mistaken notion, one can only presume, of believing his Premier's words that the Premier really was all for restraint.

The then Minister of Government Services, the member for Lanark (Mr. Wiseman), who is a nice gentleman but obviously naïve, believed the Premier for once meant what he said and, by God, they were going to have restraint in the Ministry of Government Services. Mr. Gordon, who had been around a lot longer, and obviously is going to be around a lot longer than the then Minister of Government Services, knew that one never believes anything the Premier says and that if he said black was black, one knew he meant that black was really white and vice versa.

It is amazing to me that a paper like the Sun, not noted especially for its Liberal or socialist leanings—and somebody at the Sun must have some sense of humour—had on Friday, October 21, page 3, the headline, "Contracts to Friends OK: Tory." That, of course, referred to the Provincial Secretary for Justice. I do not know how many strikes he has, but if he is a cat, I think he has used up at least nine lives already.

In conjunction with that, there was \$400,000 of taxpayers' money awarded to friends of the Provincial Secretary for Justice and the government, without tender, in opposition to the Manual of Administration, and of which the deputy minister of that ministry at the time said, "Yes, they should have been tendered." The Provincial Secretary for Justice says: "It is fine. We look after our friends."

The Premier, in response to questions, put on probably the most abominable performance I have ever seen him give in the House, and I have seen some abominable performances. He could not do much else, of course, because he was trying to justify the unjustifiable. In terms of restraint, how can the government possibly justify \$400,000 being let without contract to friends of the government? How can the taxpayers be assured they are being well served when the Premier himself condones this kind of approach?

An hon. member: Larceny.

Mr. T. P. Reid: Larceny, my friend says.

The Premier skated all around the issue, as he always does, and said we got value for money. I do not know how many members read the speeches that we get daily from cabinet ministers. The only thing worse than the way most of those speeches read, is having to listen to the cabinet ministers delivering them. If we are paying \$1,500 to \$3,000 for that kind of stuff, we should all be ashamed.

3:40 p.m.

The point remains that in the Ministry of Industry and Trade, at the time that new the Provincial Secretary for Justice was there and was contracting this work out without tender, there was a total of 473 people employed by that ministry and in the information officers, classified and unclassified, there were 13 people on staff, whom I assume were there to do this kind of thing, at a total cost to the taxpayers of \$901,000. What are these people doing when they cannot call upon the staff that is already there to do this kind of thing for them?

The Ontario government employs more than 81,000 people, not counting the people on contract, of whom we on this side have never been able to find out exactly how many there are. Surely to God, some of the 350 people in these ministries are capable of writing a speech in syllables of one and two words that this particular minister can deliver. It is unbelievable.

Mr. Speaker, I was drawing your attention to the Sun and I got diverted there. On October 21, the Sun said on page 3, "Contracts to Friends OK: Tory." It is a review of the minister and his \$400,000 contracts.

At the bottom of the page, the next article in black and white conjunction is, "Gov't Funding in '84." The headline is, "Don't Expect Much: Davis." These were extracts from a speech he did not give in Brampton, saying to all municipalities, school boards, all the public services,

all those receiving transfer funds, "Don't expect the inflation rate; you may be lucky if you get just a little less than the inflation rate."

Three paragraphs up, Mr. Walker is telling us he is looking after his Tory friends and that very same Friday the Premier indicates that if you are a Tory and a friend of the government you do not come under the restraint program, you get \$400,000 without tender.

The Deputy Speaker: The member is referring to the Provincial Secretary for Justice, I believe.

Mr. T. P. Reid: I am sorry. I apologize, Mr. Speaker, but I doubt whether he is going to be in the cabinet much longer in any case, so I thought I would refer to him by his plain name.

As I said at the outset, we do not hear anything about the restraint program by the minister who inherited from the now Minister of Industry and Trade (Mr. F. S. Miller). The new Treasurer (Mr. Grossman), in his first bleatings—one can only refer to them as that—when asked what he was going to do, was going to retain the restraint program and we were going to still have restraint in Ontario.

This was the same gentleman who presided over the Ontario Conservative government's giving doctors a 13.4 per cent increase last year, while telling the people at the bottom end of the financial and economic and income scale, "You are going to get only six per cent."

As far as I am concerned, this Treasurer has no credibility to start with, not with me or with most people over here. The Treasurer has overall economic direction for the province and says to each minister, "These are the funds you are going to have this year." That is where the initial fight takes place. We have not heard him say anything about speechwriters on contract. We have not heard anything about the taking of public opinion polls with taxpayers' money and then keeping them secret. Why have we not? It is because that gentleman is one of the ace practitioners of this whole matter.

His predecessor, as I recall, went to New York to learn how to give a speech, to the tune of \$3,000 which the taxpayers wound up paying for. That minister stood in his place and said, "I think it was money well spent." Better he had spent his own money on getting somebody to dress him in rather more subdued shades of plaid than those he usually sports.

It speaks to a hypocritical attitude, a cynicism, an arrogance of a government that has been in power so long that ministers feel they do not have to justify these expenditures, that it is

part of the perks that go with power, that it is part of their right as provincial Tories in a 40-year-old government to do this while restraining the rest of the poor peons of the province.

Mr. Nixon: Poor peons of the province of Ontario.

Mr. T. P. Reid: Thank you. That is called alliteration.

Mr. Nixon: The former Treasurer should have hired you for speechwriting.

Mr. T. P. Reid: I would do it a lot cheaper than they have done it.

The fact of the matter is, where does one find this information? Where in the public accounts can one find that the the Minister of Industry and Trade paid X number of dollars for speeches over the years, or that he contracted this or that out? One cannot find it. As I said earlier, when the public accounts committee tried to get a handle on government advertising we were all over the map.

We have the auditor's report. We had some material from the Chairman of Management Board (Mr. McCague). In response to one of my letters, he says, "I had AIF's department 17, 18, 19 and 20 pay level. In some of these, we have only had them broken down by 16-17, 17-18 . . ." Nobody knows; nobody can tell us. We cannot phone anybody, of all those 81,000 civil servants, who can tell us the government expenditure on speechwriting, advertising, contracted-out employees. Of course, the less we know or find out the more secure the government feels.

Mr. Nixon: We are just like mushrooms.

Mr. T. P. Reid: Some more than others.

It is interesting that even the Toronto Sun, which I have already alluded to—not particularly a fan of this side of the House—in an editorial on September 12, 1983, was talking about the Wiseman-Gordon problem. It says at the end: "While these examples of loose spending are horrible enough, how much more of the same is there hidden in that enormously costly monolith at Queen's Park? We suspect the worst, but can we ever really know? Not likely. Not as long as those who seek to see what pops out on government waste are banished to the back benches or to political purgatory."

That is an interesting comment. On public accounts over the years I have seen that anyone on the government side who asks questions too often and too close to the bone seems all of a sudden to disappear, to be replaced with, shall we say, more congenial friends of the government. Those people were banished to whatever

limbo exists for Tory back-benchers and others arrived.

For instance, not to be personal—I always take the Premier's dictums about being personal very personally—but I remember—no, I thought they may have even taken him off the seating list—the member for Prince Edward-Lennox (Mr. J. A. Taylor) displayed a very becoming independence in public accounts in asking questions and saying, "I can understand that and I think that should be looked into."

3:50 p.m.

That member, to use his phrase, had already "been mugged in the corridors of power" by the Ministry of Energy and Ontario Hydro. He had nothing to lose and he could be of independent mind. He was not one of those whose reach was exceeding his grasp through that great trough of public perks that getting in the cabinet provides to all and sundry who finally make that quantum leap into the front benches and the second row here.

There was a member exhibiting a great independence and asking questions about government advertising and saying, "Yes, there are matters here that should be looked into." Not only that, his knowledge and experience as a cabinet minister was very helpful to the committee, but, as all on that side do, he paid the penalty—if I can put it that way—for his independence and he was removed from the committee. There are others, but it would take too long to go into it.

The revelations that have come out in terms of the matters relating to the Ministry of Government Services; the \$900-a-day consultant without tender; the hiring of somebody to do a computer study of the legislation in Ontario and then leasing that information back from him; the former Minister of Industry and Trade (Mr. Walker) who, over a two-year period, paid something like \$400,000 out to his admitted political friends without tender, and the Premier's abysmal accountability in the House on Friday in trying to defend and justify that action, have made a complete and utter mockery, first, of the myth that exists that this government is a good manager and, second, of the pious platitudes espoused by the Premier and his designated hitter, the new Treasurer.

I would remind members again that he gave out to the doctors the biggest increase we saw in the province last year while espousing restraint for everyone else. He exposed that whole restraint program for the hypocrisy it is. Unless the government members start to take a bigger

interest in what is going on, they are going to have a lot of questions to answer to their constituents.

How does one justify the 400,000-plus people who are out of work; the hospital workers whose increases were restricted to five and six per cent; those people who are living on the margin of or below the poverty level; and those senior citizens, that this government is serious about restraint and that we all have to suffer equally, when at the same time admitted friends of the government receive \$900-a-day contracts without tender, when two firms can receive \$400,000 in two years without tender at the same time as we have 81,000-plus civil servants in the government?

I would expect most of the taxpayers would have thought and believed they were actually carrying out these kinds of functions; and in this particular milieu of public relations they are pretty well paid for what they do.

I said earlier and I will say it again: I am disappointed the new Treasurer did not take this opportunity to tell us what his ideas are on these matters. He did not say: "Yes, indeed, we are going to ensure this mismanagement, this malpractice does not continue any more. In fact, we are doing more than sticking it to those with little political clout and those who are not popular in the public opinion polls in terms of restraint."

He might have said something about unemployment in this province. He might have said something about our economic prospects. He might said what, if anything, he was going to do to reduce the \$300 million of programs that presumably ministers and the cabinet thought were worth while, but which his predecessor said he was going to cut by \$300 million. Maybe this gravy train, this pork barrel to friends of the government, is what is going to come to an end in terms of \$300 million.

Does this mean the Minister of Correctional Services (Mr. Leluk) is not going to contract out to his friends all those great speeches he makes at the opening of the new jails? When was the last new jail—1946 or something—built in this province? The minister is not, as far as we know, one of the greater offenders in this matter. The fact is we do not know, but we hope to find out.

I am hopeful that before this debate ends the new Treasurer will give us and the taxpayers who are paying his salary, and the taxpayers who are paying his speechwriters, some idea of just where he thinks this province is heading

economically and what the unemployed can expect by way of assistance from this government.

Mr. Mackenzie: Mr. Speaker, I am pleased to rise in this debate on interim supply and make a few comments. I find myself in a bit of a funny position. I would like to lash out at this government and at the interim supply and say, "Your record is so lousy we just will not vote for it."

We know that the minute we did the next phoney argument that would come from the government would be: "Would you not love to be in a position where you are opposing the passage of interim supply? That simply means we will not pay the workers and the civil servants in Ontario."

That kind of reaction is almost the mentality of this government. I think there is some serious problems and I think this government is not doing a proper job in terms of managing the affairs of the province and looking after the people of the province. By that I do not mean paying all their bills, but certainly arranging it so there are decent amenities such as jobs, adequate health care, housing and incomes that at least allow them to meet minimum requirements. We increasingly do not have that in Ontario, and it relates to a lot of things.

I think we could probably start with the situation we are in now in terms of income levels and welfare funding. I do not know a municipality, certainly not an industrial municipality, in Ontario today that is not feeling the pinch when it comes to its welfare budget.

We have some serious problems. Probably one of the most serious is that almost across the board we find an increasing number of recipients of welfare in Ontario are employable. It certainly indicates we are starting to run out of the safety net that was unemployment insurance. People who have never been out of work for any lengthy period before are now facing unemployment in Ontario. They have used up the unemployment insurance benefits and have been forced on to the welfare rolls.

We get case after case. I had a chap walk into my office last Wednesday whom I had never met before in my life. He simply said to me, "I do not expect there is much you can do, but I have been out of work for 20 months and eight days." He had it down to the hour.

4 p.m.

He said: "I am now drawing \$313 a month, which is the maximum on welfare. I do not have enough to pay for my room and to eat adequately. I walk downtown to check at Manpower

almost every day. From my apartment in the east end of Hamilton, it is an hour and 20 minute walk. I do not have the price of the bus fare. I know they put me off at Manpower. They figure I am a hopeless case. I am 61."

The man is an educated man. I did not try to go into his history or his background, but he told me that his last eight years of employment had been at National Steel Car. That is a rough, dirty place to work. It is one of the plants that is almost shut down in the city of Hamilton today.

Obviously, somewhere in his lifetime, he had run into some problems because he said, "Maybe I should try to see if there is not some way I could use once again some of the education I did have and have not used for a good many years." I asked, "What is it?" He said: "I don't really think there is a heck of a lot of market for it, but I have my master's and I have two BAs. They are in languages. I am fluent in Finnish and I am fluent in Russian. I cannot only read and write it, but I can analyse books, tracts or documents. At one time I had a certificate to teach Russian."

I do not know whether I am going to be successful, but I put a few feelers out based on his rather unusual background. His last eight years of work had been in a not too pleasant industrial setting. When he came to me, he said: "I want to give you everything. I am looking for anybody who can help me. But it has to be full-time because I cannot live on the \$313 for part-time work. I will do anything. I will go anywhere. I have been separated for a good many years. I am only living in an apartment. I have nothing to hold me here. I will dig graves. I will do anything you have as a job. But I resent, and I am glad I do resent, the fact that I know"—which indicates there is still a little fight there—"they figure I am a hopeless case and they just ignore me when I continually ask for help at the various employment offices and at Manpower in the city."

I have had a lot of people in to see me, younger and older, about employment, and we have not got a heck of a lot to offer them. While we have had a fairly substantial profit recovery, we have not had a real employment recovery. The seriousness of the problem is the one I mentioned, that increasingly the number of people who are on general welfare assistance in Ontario are employable. It is something that we should, as members of this House, be really concerned about.

In my town, if you talk to the people down at the Wesley Centre, they will tell you that two years ago, at a very busy time in the late fall or

winter when they had the heaviest case load of people coming in, they served a bowl of soup or sandwiches. They try to take care of those who are hungry and in real need, and they will occasionally put out a basket of groceries or a couple of bags of groceries. They will tell you that a big, serious, troublesome day then was 80 or 90 people coming to them. That was the top of the list.

That is not even the norm today. Last week they told me that they are now getting 130 to 160 and they are looking forward to an increase in the next few weeks. They are concerned. They do not know what they are going to do. There are more and more. It is not just groceries or dishing out soup or sandwiches. Some stories have appeared in the Hamilton papers saying that even youngsters are coming in. The checking we have done so far indicates that they are not just there for a lark. In some cases they are coming in, as a number of the members have said, because they are hungry.

The same figures apply at St. Matthew's House. We are now talking in the city of Hamilton about food banks. Matt Carson recently said the money was not there. He said, "We are in serious trouble in terms of our budget." Indeed, there was a magnanimous offer from the Hamilton Harbour Commission for the use of one of their buildings. They would not be charged if they wanted to set it up. They are talking about soup kitchens over and above what there is in the traditional agencies in the city of Hamilton.

My God, what has happened in the last year or two in this province of ours and in this country that one of the serious debates in an industrial metropolis like Hamilton now is over where we can find the money to set up food banks and soup kitchens for the citizens.

I guess what bothers me most of all is I have not seen—and I do not say this to be nasty to my colleagues across the House—anyone over there who really takes it as more than carping by the opposition here or seems to think it is a serious matter. I say this seriously. It has not come through to me. I heard one of the ministers in this House whom I respect make a little comment as he was going out of here a few hours ago that our questions were—I forget what the actual expression was—good theatre or something. I am not talking theatre when I raise these issues. I am raising something that worries the hell out of me and I think should be worrying the hell out of this government.

These people will write to one, will talk to one

and will call one with their problems. They will ask why Hydro is going up eight-plus per cent when they have met with no increase in their welfare allotment or the various social assistance allotments.

Why are the rents going up in two big buildings? I really do not believe there is a justification. I am aware we can go back at it. I did not get in at the hearings on these, but there was a 17 per cent increase and the landlord had asked for 20. They were turned down flat a year ago. I have taken a look at what they have done in terms of repairs to those buildings and it is damned little.

The average in the increases is probably about 14 per cent. This bears no resemblance to the five per cent control we have where one has the ability, as a public servant, to get a wage increase. I submit that the increases in housing for people across this province and in apartments are in almost every case well above the restraint level we put on what we will pay workers.

We do not know what is going to happen yet in terms of the minimum wage. However, I was disturbed at how fast the Minister of Labour (Mr. Ramsay) in this province seemed to back off the story in the *Toronto Sun* the other day which said they had found out that the minimum wage was going to go in two stages from \$3.50 to \$4.10 an hour. By God, it did not take the Minister of Labour long to say, "We are going to bring in some legislation, but that is not necessarily the figure." One sure got the impression he wanted to squelch the \$4.10 in a hurry.

I hope it is impossible to squelch the \$4.10. We were behind some 16 or 17 per cent after the last two increases, if one goes back about five years in the cost-of-living increase. Just to make up the cost-of-living increase since the last increase, which is over two years ago or about two years ago, would take an increase to \$4.04. Maybe we have to settle for that. I hope not. However, if we do anything for them, we do not even match where we left them back in 1981 unless that figure reaches \$4.10.

I suppose one cannot tip one's hand, but I would have hoped the Minister of Labour, rather than being quick to say that was not necessarily the figure, would at least have said nothing more than "We will bring in the legislation. You will see then." It almost shows the set-piece mentality that we sure do not give any more or are not going to give any more or do not want to be put in a position of having to give any more than the bare minimum. We are talking

here about people who are beginning to have serious problems in this province of ours.

I have difficulty accepting and understanding the rationale of the government. I started out with this and I want to stay with it for a minute or two longer. I will use the release of my colleague the member for Scarborough West (Mr. R. F. Johnston) on the welfare system, on the funding and the allowances we are giving to the poorest people in our society, a society that found \$50 million last year in rate increases for 95,000 welfare recipients, 83,000 dependants and 126,000 family benefits allowance and guaranteed annual income system recipients in the province. I do not know what the total works out to. Some 250,000 or 300,000 of the poorest of our people ended up getting \$50 million last year.

That \$50 million came out of the taxpayers' pocket, and that is yours and mine and all of our friends and neighbours. But what did we do for 14,000 doctors in Ontario? For 14,000 doctors we found \$250 million, and that also came out of the taxpayers' pocket in the same year.

4:10 p.m.

It is not that I am so angry at the fact that 14,000 privileged people—very necessary, very well trained and very essential to us—got \$250 million. It is the fact that those who cannot help themselves, the poorest of the poor in our society, picked up a grand total of \$50 million. We are arguing, fighting and raising whatever Cain we can almost every day of the week to try to see some additional assistance that brings them up to a level that has some small relationship to what their costs are and what is happening to people out in society.

I do not know what to do about people who write in with their frustrations in area after area and from angle after angle. I received a letter only this morning. It is not the first one I have received in terms of assistance for students. I will read just part of it.

"Dear Mr. Mackenzie:

"A few weeks ago my niece"—I will leave her name out of it—"contacted you regarding OSAP's refusal of a grant for 1983-84.

"Shawn's father has been unemployed for more than a year and a half due to illness. Her mother has been supporting the family on unemployment insurance benefits, which total \$98 per week, and by the salary she receives when she is seasonally employed. It probably would be easier and more beneficial for Shawn's mother to terminate her job and apply for welfare, but she finds the thought abhorrent. Shawn managed to obtain some part-time

employment this past summer and has been trying to assist her mother and father as much as possible from her small earnings.

"It seems to me that something is extremely wrong with our system when some students are given grants. Even after their tuition fees have been paid and books have been purchased, these grants have been used to pay for vacations or to buy other luxuries, such as stereos, television sets or cassettes. Some students seem to have no difficulty in being awarded both a loan and a grant. This happens even though both parents might be working in careers or occupations and the students themselves may have part-time jobs. It is almost as if, when assistance is desperately needed, it is not available.

"This certainly only tends to discourage students from needy families from trying to achieve levels of education and higher standards of living. It may be that the authorities in charge of OSAP feel they have been fair in supplying Shawn with a loan rather than a loan land grant. However, knowing the family circumstances as I do and knowing that all the relevant information was on her application, it proves to me the incompetence that is so prevalent in so many levels of our government and civil service.

"How are such decisions made? Are the applications thrown into a hat? Are the first 10 chosen the lucky winners even if they are not as qualified or needy? If your name happens to be the last in the so-called hat, are you then simply out of luck and money?"

I will not go on with her appeal to me, and we will do whatever we can with the case, but it is far from the first one I have had. I am not wanting to highlight her frustration at those who may have been lucky enough to get a loan or a grant. What I am pointing out is that there is a family there, because I have already done the checking and we are already making calls on it, that is in serious need.

The system has failed them and this government has failed them. The only good thing about it, and it is sad to have to say it in this House, is they are beginning to spot the culprit in what is happening. I think there is going to be some answering to be done in the next few months or year or two for the people in charge of education and the minister responsible in this province, before we are finished.

I have real difficulty in dealing with the inaction on the other problems, one of which we raised again today, the latest in a never-ending weekly saga of plant shutdowns and closures. We heard on Saturday in Hamilton about 232

more workers being laid off, some of them with pretty fair seniority. I know many of them personally. I know the young president of the local, Cristopherson, and you would not get a better worker or a more committed chap, a family man, than he is. They are out as of next April. They were supposedly doing much better when the company was trying to con us with the move of 200 workers in the fibre division just last May.

We appealed to this government and we had meetings. The federal Minister of Indian Affairs and Northern Development said their action was abominable. That was his actual expression in the paper, but we did not see a damned thing done to stop it. The operation of the fibre division of that particular plant was moved to Richmond, Virginia.

I do not know what they are doing; I have not checked it that far. I was in Toronto here for part of the weekend and I have only started checking with my sources, but we do have 232 people out, the other shoe dropping, as the local union president said in that particular operation, the one that was supposed to have some security.

It follows one of the most abominable displays and comments I have ever heard. I am talking now about the exchange that has gone on for a number of weeks and months in this House among myself, the Minister of Labour (Mr. Ramsay) and others over at Consolidated-Bathurst, where even that paragon of socialism, the Provincial Secretary for Justice (Mr. Walker), said in this House that they were not the best corporate citizens after the meeting we had with them.

I want once again to put on record some of the things we were told at that meeting. I am doing it because we had the leader of the Liberal Party get up in the House just last week to say that in London they were closing another plant. There has been a merger in the packaging division between Consolidated-Bathurst and MacMillan Bloedel Ltd. It is the same general entity but perhaps not exactly the same people, and the second plant was being closed down in London. We heard nothing about that, incidentally, and we knew the merger was already there between Consolidated-Bathurst and MacMillan Bloedel when we had the meeting in the Minister of Labour's office here in Toronto.

The workers there had signed a new contract only two months before they were notified that they were all gone. The lowest seniority in that plant was 21 years' service and they went up into

the 40s. We were holding meetings, protesting and trying to find some avenue to help the workers. They did a lot themselves. They contacted the company in Peterborough and a couple of entrepreneurs in Montreal. They had actually started to put a financial package together to give them a chance to buy that plant and they had gone to some of the customers in the Hamilton area to see if it was possible to hold the orders if the workers did try to take over the plant. We did not get the chance to get very far with that operation.

The company did not say anything about it during the negotiations. If they had, as we said at those meetings, you can bet your bottom dollar that the contract negotiated would have been a lot different than the one that was negotiated. It would have dealt at least with severance pay and with the earlier pension arrangements. There are chaps in that operation who are losing out on pensions by a matter of months. They would have dealt with some of the things that could have done something about making it a little bit easier for the employees in that operation. But no, the company did not tell them.

So we had this meeting. Who was at the meeting? The Minister of Labour; the Minister of Industry and Tourism at the time, or whatever the portfolio is; the mayor of Hamilton, Mr. Morrow; the regional chairman, Mrs. Jones; the member for Hamilton Centre (Ms. Copps) of the Liberal Party; the member for Hamilton West (Mr. Allen) and myself, of our party; a lady—I do not know who she was—representing Gordon Dean; and two or three ministry people. We had a bit of a go.

I did not hear very many tough questions asked by the government members who were there. I got into the biggest wrangle with them. But we went after them. We asked, "Why will you not consider selling the operation to the employees?" What did we get? From Mr. Stangeland, president of the packaging division of Consolidated-Bathurst, we got the comment that Imperial Oil would not sell a good choice corner location to Texaco; so they were not going to sell to their opposition.

It is funny. Where we got into a bit of a hassle was over that comment, inappropriately enough perhaps in that meeting, but I thought that was what private enterprise was all about, concerning competition. Let us not kid ourselves. No way were those employees going to have the opportunity.

Probably even more telling was when I, and

the member for Hamilton Centre of the Liberal Party, asked them a question, as I believe did the regional chairman of Hamilton-Wentworth. They sprung another surprise on us that they had not told anybody there. They were selling the plant—the deal was not quite finalized; the lawyers had not signed all the papers yet—to Reid Dominion next door, where maybe some of the 200 workers would get jobs.

4:20 p.m.

We immediately said, "Will you then, as a condition of finalizing that sale, put in a word for, or speak up on behalf of, these long-service Consolidated-Bathurst workers?" The corporate answer to that was: "We would not appreciate being told who we should hire. We do not intend to tell anybody else who they should hire. They will have to go to the marketplace, just as we do, for their labour."

I ask all the members in this House, including the most conservative Tory member sitting over there, whether that was not saying that all those workers were was a marketplace commodity, and that was the only obligation that company had to them. Maybe that is why even the member for London South (Mr. Walker) was jolted into saying at that meeting that they were not the best corporate citizens.

I want to know how long this government is going to say: "We cannot interfere in the marketplace. We are only interested in keeping it healthy so the workers are healthy." Damn it all, when are the workers going to get some of that help? When are we going to decide that one of the costs of this nonstop corporate rationalization that is going on is that the government has to accept some responsibility for the workers who are involved as well?

I have a lot of pretty strong political views, but I do not think I have ever been totally dogmatic, although I know there are people across the road who would not agree with that. I will look at almost any combination of methods, pressures, taxation agreements, compliance or content legislation, pleading or whatever, but in the final analysis I want to have some clout that says: "One of the things that is going to count is what happens to the workers. They have to have jobs in this society of ours." That is what has been missing with this government; they can say all they want about how they try to meet with these companies.

Words cannot describe how I felt when I listened to the Minister of Labour (Mr. Ramsay) today saying that they did try to get these people to take some of these things into consideration

and that he would be meeting further with Allen Industries. I hope I am proved to be totally wrong in the case of Allen Industries, but I expect nothing to happen and that behind this government's back they are laughing at it—and they are its friends.

We certainly did not get anywhere with Consolidated-Bathurst, and we were not too far wrong in the case of Consolidated-Bathurst. Some members, if they follow affairs in our community, may realize that the union did take the company before the Ontario Labour Relations Board for bargaining in bad faith. I hope some of the government members have read the decision, because the board found that the company had bargained in bad faith.

The board was not prepared to set a figure on it. What it said was that they should go after the company. They should go after it, all right. The minimum the workers in that plant should get is their full pay from the time the plant was closed until they find another job. They will not get that, but in my book that is the minimum that should happen in that operation. That company, just as we said, clearly was not levelling with the workers, just as it was not levelling with this government. And this is one of the entities about which we have to say, "Hey, we cannot interfere in the marketplace."

I really do not want that much interference in the marketplace where I see commitment and goodwill and good corporate citizenship. We get it in some cases, but there are too damned many cases arising on a weekly basis in this House where we do not get it. I am simply asking when this government is going to take off the gloves and say, "We do have a responsibility, not just to the corporate good, but to the public and private good of the people of Ontario."

When I hear the Minister of Labour talk about not being willing to go the public justification route, I have never been able to come to grips with that and with what we were told in the committee on plant shutdowns, by the officials of SKF, when they were in the final year of shutting down the operation in Scarborough.

Incidentally, when we talk about the effect on people, my colleague the member for Scarborough West (Mr. R. F. Johnston) once again has raised the studies which show that since that place was closed down a couple of years ago, an awful lot of those men have never found jobs and their circumstances are not good.

One of the things that came out at those hearings—and there was a majority of Tory members on that doggone committee—was the

fact that the workers in West Germany and France, which was where the corporate head offices of that big conglomerate were, had been told that they were closing down the Canadian operation in Ontario several months—I believe three was the actual figure—before either the workers or even management knew at the plant in Ontario. Once again, where is the corporate citizenship?

Maybe there is a justification for the rationale. As members know, most of the jobs in that plant went to France, Philadelphia and Brazil, as far as we can figure.

What bothered me was the way they conned the union, the workers and this government. Deliberately, over a five-year period—and while they will not admit to the word "con," it is obvious that happened—they took the long, profitable, small ball-bearing assembly runs and shipped them out of the plant and they shipped in the large ball-bearing assembly runs, which were much shorter runs. Shorter runs usually are not as profitable.

The company was never nonprofitable, but the profit picture dropped and then they started shipping out to some of the other company operations, the large ball-bearing runs, and shipped in just the repair runs. They did it over a five-year period; it was a five-year plan to close down that plant and we did not know a darned thing about it until the last minute. A heck of a lot of workers suffered as a result of that and the workers are suffering today as a result of that.

Whether or not members of the government party agree with me, or with us, or whether or not there is a basic philosophical difference in our positions on the responsibility of industry and the corporate world to workers in this province, surely it is at least time they were willing to do as we have suggested, which is to set up some kind of a committee, if not to reactivate the committee on plant shutdowns, that would take a look at what is the minimum responsibility of a corporation to its workers.

I am asking members of this House, is there or is there not a responsibility? If a corporate rationalization—such as we saw again today in the closure of Allen Industries, and as we have seen at Consolidated-Bathurst, at Bendix and at plant after plant—is going to mean a more efficient or, to use the new Tory expression, a leaner and meaner operation for that company, does the meanness and the leanness have to be contributed entirely by the workers?

Should not one of the assessments of what that corporate rationalization is going to mean,

be what it is going to do to those workers, the community and the province and what they are going to lose? And should not some of the additional benefits that are going to accrue, in terms of that company being a leaner and meaner operation, take care of the problems they are leaving behind?

Very rarely is the corporate world taking up those problems, as I have heard so many times at these meetings, over and above the minimum requirements that are in the contract or the minimum requirements under employment standards. If they are not going to do so, who is?

Are the Tory members of this House telling me that it is absolutely not a responsibility of the government to take some responsibility if the corporate world, the free enterprise world, does not? If that is the case, I would like them to be honest enough to say it openly. Maybe that is part of a political dialogue we must have with the people in Ontario.

They must say: "We believe in this. We think this is a responsibility. We think you have some entitlement to some of the benefits as a result of some of these particular moves." We are now dealing in a corporate world where many of the corporations are bigger than governments.

If the government's position is, "No, under no condition are we going to accept the responsibility for the results of it, nor are we going to interfere in the marketplace," then we had better have a discussion as to what really counts.

4:30 p.m.

I say that also because I have seen very little done by the government in terms of an issue about which most of us really do not know what is going to happen or do not understand yet. I am talking about the microtechnology explosion we are seeing and some of the automation and robotization that is going on, as well as some of the things my colleagues in the steel mills tell me about the production they could get if it were all switched to Nanticoke from the mill in Hamilton.

What is going to happen if as a result of the new technology we do not see some specially trained high-wage people? One of the things happening, I submit, with half the world running like mad to try to get a share of this new high technology we hear about, is that we are not in the bidding with some of the Third World countries for much of the technology. We are likely to see a reduction in wages rather than some very profitable high-wage areas, other than for a few specialists.

If we are going to lose some of the traditional

smokestack industries and not get a compensating share of the new high-tech industries in this country—although the benefits of the technology are going to be there in terms of production whether it is in our manufacturing, food or service industries, and we know the office sector is one of the areas that will see some of the most rapid changes—who is going to get the benefits of the ability to produce more, more efficiently, cheaper and something I believe in—getting rid of a hell of a lot of the drudgery and back-breaking work that goes on in some of our operations in the country today?

If this is what we are facing in Ontario, how do we then come to grips with the question of distribution? If we are going to continue to have fewer jobs—I suspect that may be the route we are taking—or the jobs are going to be lower paid and more and more in service fields, what are we going to do in terms of the benefits? There have to be some benefits or we would not be going into this new technology, I am pretty sure.

What are we going to do in terms of the distribution of the benefits? Who is big enough other than government to deal with some of the giants in the manufacturing, industrial, and now even in the health and service fields that are developing? Who is big enough to insist that there has to be some redress in what people get?

The people have to have the money to buy the basic necessities if we are going to deal with the problems I pointed out earlier, that people are suffering as a result of the lack of an adequate income or any increases. I am talking now about the poorest segment; never mind those who are working. How are they going to be able to get some share of the benefits and the money to buy a new fridge, stove or a car some day down the road; or to afford the apartment or house they may want, if we do not tackle the issue of distribution, the distribution of income, resources and wealth?

I would like to hear some real dialogue on it in this House. Maybe I am nuts and members can shoot my concerns full of holes. I would be happy if they could effectively do it, but I suspect they cannot. I also suspect that what we are not willing to tackle is, who has the clout, the guts or the understanding and commitment to the benefit of the people in our country to say, "We have to work out a better system than what we have going for us now"? I hear or see little in this House that means anything in this House in terms of that kind of reaction or response.

I am the Labour critic for our party, and the

progress we are making in reform or changes in the way we look at labour problems or workers' rights bothers the heck out of me. We had a couple of examples this last weekend that should disturb all of us. We have the court decision this morning that says a good chunk of the legislation this government passed, over the bitter opposition of this party, is illegal or violates the Constitution.

This government had not even bothered to get a legal opinion on that, and we are now told that where one extends a contract, it just is not proper. It also infringes on the worker's right to organize, change a union or do anything else in that period. And the right to organize is a guaranteed right.

It is going to be very interesting to see how fast the skating goes on by members of this government to try to find some way to patch up the leaky act they rammed through this House with closure, to get around it altogether or to say: "It really does not count, because there are only 22 members over there. We will ram through whatever we want to do anyhow." It is going to be interesting to see what they do.

It will also be interesting to see how they respond to some of the things that are coming out at a hearing that is going on over the Westinghouse lead emissions and other safety standards, where Stan Gray has been conducting almost a one-man crusade over safety conditions in that plant. Unless I have read Mr. Deverell's story that appeared in the paper over the weekend wrong, some of the things that my colleague the member for Sudbury East (Mr. Martel) was forced to apologize for in this House in terms of charges he made against senior officials of the ministry have been proved to be exactly right on and he never should have had to apologize.

When we find out that reports are changed or written by senior people, or at least the testimony before the hearings is saying so, that raises serious questions about the kinds of answers we have had from this government.

The fight we have never ends. My own town raised the issue of the coke oven workers. We finally got standards. We are now having trouble with the way the standards have been set, the averaging over 40 hours, and we still have had to fight. We may have finally worked it out with the death of another coke oven worker crushed at Dofasco; maybe we will get an inquest now in all of these deaths. We should have had inquests from day one. We have not yet cleaned up the serious safety and health matters that abound

around the province. Why do we have to fight over a case like this every single time?

Some time in the next day or two, we understand we are going to debate a bill outlawing the use of lie detectors. Big deal) Do not get me wrong; I welcome it. They should not have been used or able to be used to investigate employees to begin with. As far as I am concerned, it is a very basic violation of rights, especially when the ministry's own background papers, given to us by the Minister of Labour, indicate that the accuracy is very much in doubt. Even with the best technology going, one is going to have five, 10 and 15 per cent inaccuracy rates in terms of the testing, which means a hell of a lot of people could be out of jobs or not getting the jobs in the first place because they have gone through the lie detector operation.

We have raised some of the abominable questions that are asked on personnel applications. We have also raised the matter of the cameras, including those scrutinizing workers even going to the washroom, in plant after plant. We have raised any number of issues. But the one and only measure we see coming down the pike at this time in terms of labour legislation is that finally they are going to move to outlaw the use of the polygraph or lie detector.

We have asked for that for a long time, but we are not even going to take any particular credit. We are not going to give the government one hell of a lot of credit either; it is something they should have done a hell of a long time ago. Forgive me for the cynicism that is growing day by day in this particular individual in this House, but I suspect we are getting that legislation only so the government can counter some of the serious arguments we make by saying: "It is not true we do not do anything. We have done something for workers." The government has sure picked out the smallest, tiniest and probably least important item to raise. And I will not even believe that it is true until I see it actually passed in this House and given royal assent. I have seen too many slips on other things we have gone after.

We had a debate in here the other day on equal pay for work of equal value. I am sorry my colleague the member for Hamilton Centre (Ms. Copp) did it the way she did. That is not to say I criticize what she was doing in terms of the resolution she moved in this House. I did the same thing with one concerning pensions, and I have regretted it ever since, because that one met general approval in this House as well; it proposed earlier vesting and some very minor

basic improvements in private pensions—not the kind of changes I think are needed in the public plans, but in private pensions. That was two or three years ago, and many of the members of this House on all sides can say, “Sure, we supported that resolution in principle.” But it has not meant a damned thing, once again, because we have not seen any of those improvements in pension plans in Ontario.

4:40 p.m.

Surely, given the older population we have in the province, the kind of layoffs we are having, the older people who are affected in the plants, the insecurity that is now there in employment when at one time people just expected they were going to have jobs for the rest of their lives, one of the things we have to look at is how adequately we are taking care of our older people and workers, how adequate the pensions are that we have got and what kind of changes will allow for portability.

On the portability issue alone—I think it is after one year of service—if there were a central funding mechanism, as we recommended in that debate, it would mean workers could get the benefit of several jobs, because most workers are going through five or six jobs now. They may be only four or five years at a job and they do not qualify for the age and years of service needed to give them the proper pension when they finally have to retire.

As near as I can tell and from the questions I have asked in financial terms, certainly not in ideological terms, that is not a major change. It is even being recommended now by some of the pension plans and business groups that in the past have bitterly opposed such changes, though I think in many cases that is out of self-interest, to try to do something to deflect some of the criticism over the lack of change in so many years in the pension field.

Even the changes that would do something for the people involved in some of the plant closures and shutdowns I am talking about have not been acted on. We have heard nothing more from this government. That goes back, including our pension report, a number of years now. What in blazes do we have to do to get them to look at some of the serious problems that would mean something for ordinary people in Ontario?

The other day when we moved in this House a resolution supporting the principle of changes to the employment standards to allow for equal pay for work of equal value, we allowed the government to get off the hook once again, just as we did on my pension resolution. Every

member, including all the Tories who supported that, can proudly stand up in the next election, in half a year, a year, a year and a half or whenever it is, and say: “They cannot blame us on that. We supported the principle of equal pay for work of equal value.”

They will not have done anything about it, but because they all voted for the private member's resolution just a week or two ago, they will be able to say: “We do not oppose that. What are you giving us heck about that for?” Yet it is one of the fundamentals we have not changed that we have been after in this House for a long time; that is, for the pay to go for the job and not because of the sex of the person who is involved.

Surely even Tory members in this House must have some little bit of a qualm in the pits of their bellies when they think of the position they have taken over the years against equal pay for work of equal value. Because of the resolution we had before us—and, as I say, I have made the same mistake—I think we have let them off the hook.

I hope we get on the floor of this House again an actual resolution. Then I want to see the members of this House stand up and support that resolution or, if they absolutely cannot, as I know most of the Tories will not, I want to see them bring in a bill that will make some meaningful changes. I want them on the spot, not able to cop out, as they will totally with the vote we had on that resolution on equal pay for work of equal value.

It seems to me there are a couple of others areas in which our people are getting hurt. I can recall going to the previous Minister of Labour, the member for York East (Mr. Elgie), and raising questions in this House not just once but time and again—and others have done it as well—about bankruptcies and receivership situations where the workers ended up getting nothing.

I have another one in my riding right now. We were promised that some 17 workers would be paid on October 21. I told them, being very blunt with them, that maybe they were a little bit dumb. They worked August, September and until October 7, and their cheques bounced. They have not been paid for one of those months. They were told new financing was coming and so on and so forth. Unless it does come in this particular operation, they are out that money and the creditors will get whatever resources there are. We do not have any legislation in Ontario to protect wages or benefits that are there. They are the last to receive them in this province.

Even my colleagues across the House do not disagree. I can recall the previous Minister of Labour more than once saying: "I do not disagree with you. I sympathize with the position you are taking and the argument you are making." But then he passed the buck. He said: "We have been trying to get the feds to change the bankruptcy legislation. Bankruptcy is a federal responsibility in Ontario."

I can recall writing to the previous Minister of Labour and asking him: "Send me a copy of the letter so I can see what you actually said to the feds. Pardon the cynicism, but I really would like to know that you are trying to get them to change the legislation."

We have also gone to the government and said: "If you cannot get the feds on side, then surely Ontario is big enough to bring in some legislation that sees to it that the basic wages and some of the benefits of workers in a bankruptcy or receivership situation are paid." We did hear rumblings at the end of the last session that if it could not get the feds to move a little faster—I think we were told it had been after the feds for three or four years now—that maybe this government would take a look at it.

I have only been in the House for eight or nine years, but that is one of the issues I have been raising since the day I first came in. I do not see what this government has done on it, period. I do not see any move on it at all.

While there may be some discomfort in some sectors of the economy, I doubt that it involves any radical political ideas, the idea of some protection—creditors get it first now, I suppose, the banks, or you name it—to the people who make the business go. I have asked for some consideration for workers who have given their lives to a company that shuts down and they have 30 or 40 years' seniority and find themselves out the door. I do not think that is asking too much. But maybe there is a bigger gap than I think between the things I feel strongly about and those things important to the members on the other side of this House.

All I know is that I have seen nothing, absolutely nothing, in the way of any moves to redress what is obviously an iniquitous situation.

Another thing that bothers me is that once again we are told that we cannot interfere with the private sector; people have got to be able to have a meaner, leaner operation.

One of the little phenomena in the labour field that is hitting me as Labour critic is that every single week there is the contracting out business. I have had situations where a number

of workers have been let go because operations were contracted out. I do not know exactly what the private firms are getting, but I have been told it is \$6.50 and \$7 an hour in some cases.

I know of one woman who applied and was offered her exact old job back at \$4.50 an hour. She was getting \$10.06 when she was let go and the work was contracted out. That says to me that particular operation is off the hook for the difference between \$6.50 or \$7, whatever they are paying for that contracting out job, and the \$10.06 they were paying. So they have a nice, fancy saving. A charlatan middleman, as far as I am concerned, is in and is going to make \$2 or \$2.50 off the back of that worker, and the worker who was trying to meet her bills and keep up her obligations is going to go from \$10.06 to \$4.50 an hour.

We have the case of the cleaners at the Eaton Centre. We have had a number of nursing homes. We have had delegations of them in the gallery here who have gone through the contracting out business. We are seeing it in some of our major hospitals. We are seeing it in operation after operation. If the workers do not have a union or their union has not had the foresight—and, unfortunately, most contracts do not deal specifically with the contracting out, or not enough of them do—then there is nothing in legislation in this province that protects the workers involved.

So there are more private entrepreneurs that can do a little shilling and make a few bucks off providing services that we can set up. I suppose that is one of the growth industries in Ontario. It may be a joke to some people, but one would have to meet these workers.

I recall when we met with the 45 cleaners of the Eaton Centre. The meeting amazed even me, because they had their parish priest, their husbands or their friends with them. There were almost 120 of them in the church basement. I said: "There are only 45 workers. Who are all of these people?" But they were friends, neighbours and some other concerned people. I believe, and I hope I do not get them in trouble, we even had two or three of the cleaners from this building there. They wanted to know how, after getting a new contract—and the contract was not paying very much; it was considerably less than \$8 an hour—the work could be contracted out and not one of them would be considered for the job. The new firm coming in will bring in its people.

4:50 p.m.

This is happening in case after case. It is increasing. As I said, I suppose it is one of the growth industries in Ontario. I ask the House, do we not have some responsibility to set some guidelines that say there is at least some protection for the workers who held those jobs? Does the free marketplace give us the right to do anything we want with anybody in terms of the workers who are going to be affected by it? Do we not have some responsibility to set some conditions and guidelines that bring a little measure of fairness or justice into this operation?

I think the questions I am asking in all of these areas are legitimate ones. I know people are being hurt. I do not know whether I can find it quick enough to raise it here but, in a recent riding report, I was amazed at the number of people who, in answering the questionnaire, indicated to me that they were paying about 35 per cent of their income for housing and, in some cases, about 50 per cent. People are not always anxious to talk, but I sent them back a letter.

Just so the members will not think I was loading the response, I will read the letter I sent: "You may remember that when I sent out my Hamilton East riding report early in the spring, one of the questions I asked was: 'Budget experts suggest that you spend 25 per cent of your income on rent and other housing costs. How much of your income do you spend on housing?' I was quite surprised and somewhat dismayed to find out that 228 of the people responding were spending 35 to 50 per cent of their income on housing, and a further 58 were spending more than 50 per cent." We had a return, if I recall correctly, of about 1,018 on this questionnaire.

"I hope the large number in these two categories is a result of confusion about whether it is 35 per cent of gross or net income. I should have made it more clear that I meant the gross household income, before paying income taxes.

"For stats purposes, I would very much appreciate your assistance in filling out the questionnaire on the reverse side of this letter and returning it to me. You do not need to give me your name or address, if you so desire, but even if you do, I assure you that such information will remain completely confidential. Your situation may have changed, of course, since you filled out the original riding report questionnaire earlier this spring. If this is the case, maybe you could just say that the questionnaire no longer applies in your case. I thank you very much for your co-operation with this information."

The House would be more than a little shocked at some of the comments and responses I got from a fairly large number of people who responded to that, some with their names and some without. It indicated we have some really serious problems.

Think of the senior citizen who made the comment, "I am a senior citizen and the six per cent raise in the old age pension seems a little short to cover inflation at this time, as everything costs more and therefore you do more and more with a little less." In this case, he was making \$650 and his rent was \$250. He says, "I am not as bad off as many." His shelter cost is only guaranteed for one year.

One of the questions I asked was: "Does your high shelter cost affect other budgeting? For example, do you have to cut back on your food budget or our clothes budget? Have you had to cut out any expenditures you used to make regularly, i.e., entertainment, etc.?" It was back on the food budget and back on the clothes budget. In this case, he goes to a couple of the charity organizations in town. On entertainment, "I have stopped."

It was surprising, but I got some at higher income levels as well. I was looking at one comment that touched me, but I do not find it here at the moment; I may before I have finished. Another person is making \$1,120 a month and is spending \$455 on the mortgage payment plus \$60 a month on heating costs. They also were cutting back, more on the clothes budget than on the food budget. They said: "We have eliminated entertainment, and I am despairing at the price of food, gasoline, car repairs, and kids' clothing, and car insurance. We will probably have to give up our car."

Two or three of them are really telling. I will not try to read a lot more into the record, but they are further evidence of what is starting to happen to our people across this province. I would feel much more comfortable, even if it were an argument—even if it were "No, go to blazes," or "We will tell why we do not think your arguments are any good"—if this government were at least addressing the kind of problems I have been raising here today. But I have to tell you, Mr. Speaker, it is not.

I had no intention originally of speaking during this debate on interim supply, but I decided to do so because I am really getting fed up and angry and disturbed that we cannot seem to get that kind of dialogue going—even if it is to really challenge us, other than the silly little things that go on in this House—about the

serious problems we are facing, the lack of any increases in the assistance to the poorest people.

I do not put it at the top of the list but, apart from the doctors versus welfare money that we allowed last year, the \$250 million against the \$50 million—\$250 million for 14,000 people, \$50 million for more than 250,000 in terms of our lowest-paid welfare and family benefits recipients and people on allowances—I could also have written into that equation the latest nonsense in this House, where we have one of the ministers paying better than \$1,000 a speech, as I work it out—\$120,000 a year for speechwriting, which is about \$1,000 a page, I think.

I will not go into this, because my colleague the member for Rainy River (Mr. T. P. Reid) did, but we see that kind of expenditure by one single cabinet minister, without even tendering. I was feeling a little bit guilty, and yet I thought it was just and I was ready to stick by it; it is a fight our party has put up for a long time, for additional research facilities for the members in this House.

Just for the record, maybe my speeches are lousy, and I will accept that, but I write all of them. I do a lot of speaking around this province and I do most of my own research, although I draw on our research staff where I can. I do not have anybody writing a speech for me as we have cabinet ministers galore having speeches written for them in this province.

When we put up a fight for an extra \$250,000 for assistance for the opposition members to do their job in terms of additional research and research for members in this House, we were put down and told: "We cannot afford it. No way. We give too much already." Then we read in the paper that the member for London South (Mr. Walker) can increase \$20,000 in one year and \$30,000 the next, \$200,000 for two different people, and \$100,000 for a speechwriter, and \$80,000-odd to set up the rah-rah for a couple of new projects he is opening up. That is over and above the kind of staff that cabinet minister has to begin with.

I no longer feel the least bit hesitant about saying that we have been shortchanged on this side of the House. As a matter of fact, it might be a good thing if every Tory member and every cabinet minister had to prepare his or her own speeches just for a one-month period. I wonder what we would save. It would probably be in the hundreds of thousands of dollars.

It is these kinds of things that disturb me: the inequities in the payments, the lack of any increases, the reactions we get to things like

minimum wage, the lack of action in terms of what happens to workers in plant closures, the lack of action in terms of the people who suffer most in many cases—and I am not denying that those who have invested money suffer as well, but the people who suffer most are the workers—in receiverships and bankruptcy cases and the lack of action in hard, mandatory, affirmative action programs, or contract compliance, to recognize and deal with the problem of women.

As a matter of fact, let me add one little piece that I forgot to mention about that particular area. One of the biggest single arguments we have ever had from Tory members against equal pay for work of equal value—equality in terms of paying for the job, not on the basis of the sex of a worker—is that it could not be afforded because we had wrecked the economy.

I did not bring it with me, but I hope all members read a fairly major story in the business pages of our press the other day, which reported that to get out of a long lawsuit, General Motors in the United States has agreed to set fairly hefty quotas on the number of women who would be hired for various jobs, and all at an equal rate in terms of wages. In one case, it was 28 per cent.

One of the biggest corporations in the world that has itself used the same arguments and fought the issue right down the pike, as this government has, has now said, "We are prepared to move in a substantial way in terms of meeting the inequity." In other words, even General Motors has finally seen that its time has come. When is this government going to decide that the time has come for some adjustments for some of the ordinary people in Ontario?

5 p.m.

It is difficult to get up, it is probably not the time to do it, and oppose something like interim supply. I would not want to be accused, any more than anyone else in this House—even though I think it would be a phoney argument—of being responsible for the workers not getting their paycheques because somebody held up the interim supply. But it is pretty difficult to vote for the next three-month allotment of money for this government when one takes a look at its lack of action in terms of the problems we face in this area.

I hope some of the members will start to think about it a little bit. I do not care if they want to try to kick the bejesus out of us, they should at least start to respond on those issues and not ignore them; they should start doing something in terms of what the people in Ontario need.

Mr. Haggerty: Mr. Speaker, I want to enter the debate on the motion for interim supply for the period of November 1 to December 31, 1983. Perhaps I should follow some of the comments of the previous speakers, but looking at the present minister responsible for Treasury and Economics in Ontario, I want to talk on a few topics that are of particular interest to me, and some of the government policies related to taxation in Ontario.

In the last budget presented in the Legislature, there were a number of areas where I thought there was inequity in the taxation policy of this government. These were the areas of the provincial income tax where we have had increases for the last couple of years, the Ontario health insurance plan premiums—well above the restraint guidelines—and tobacco and liquor taxes. Everybody says this is a sin tax and people can afford it, but at some place along the line there must be some equity in our taxation programs here in Ontario.

In particular, when I look at the sin taxes, I can go right from Fort Erie, the place where I live, across the border to where one can buy alcoholic beverages, cases of beer, for half the price one can purchase them here in Ontario. It is the same with cigarettes. In fact, there has been a charge laid here. A person brought in liquor supplies on a small vessel from the American side and sold them here on the Canadian side. Apparently there is going to be quite a market in this particular area. There will perhaps be more people going to the United States to spend their money instead of spending it here in Ontario.

The other thing I was not too happy about, as critic of the Ministry of Revenue, was the ad valorem tax. It really bothers me to hear of the Premier (Mr. Davis) going out and giving the message to the municipalities that the restraint program is going to be with us for another year. I will tell the House now, it is going to be about 3.5 or four per cent; that is all the local municipalities are going to get from the government in transfer payments.

It is going to be difficult for them to maintain a level of acceptable taxation for the property owners within the municipality. All of these different taxes that have been increased over the last year or two add to the cost of inflation. Yet on the deficit side we see the government is still running rather high: a deficit of about \$3 billion or \$3.5 billion is estimated this year. Who knows what the total debt will be? That is what I am concerned about.

I was interested when I had some matters raised to me by concerned people working in the Fort Erie area. One was from a construction company in Fort Erie, and another from an employee of a trucking firm in Fort Erie. As much as we are hoping the employment is going to turn around, he said Red Star Express Lines, a trucking firm located in Fort Erie, will be transferring some employees, not too many, to Toronto, the rest will be going to the United States and there will be a number of employees who will be laid off who have about 25 to 30 years' employment in the area.

I am concerned about this government and its policy on deregulation. I gather from what I am told in a letter from Mr. Charles L. Cormack of Fort Erie, who is an employee of Red Star, that he is concerned about his employment in the area, as well as that of others. At one time Fort Erie was perhaps one of the largest railroad towns in Canada. It was a large port of entry at the International Bridge. It was considered to be a railroad town, and the biggest number of employees, which would be in the thousands, was employed in the railroad section of the town.

Fort Erie had been noted for its trucking industry too. It had a number of marshalling yards there. Red Star, Active Transport and Maislin were located there. There have been others I just cannot recall at the present time but they employed a number of mechanics, skilled tradesmen, shippers and drivers in the area. They have gradually moved out of Fort Erie, as some of the marshalling yards have perhaps gone to Toronto. It will only be used as a base station to handle the telephone to carry out shipping orders from points of entry from the American side. I am concerned about that regulation.

There is an article in the *Globe and Mail*, for example, of July 25, 1983:

"As many as 5,000 jobs, \$1 billion in annual purchases and \$350 million in annual government revenues could be at stake if Ontario adopts an open border policy with regard to US truckers, a consultant's report says.

"In its submission, the OTA"—that is the Ontario Trucking Association—"said US truckers already enjoy an advantage over Ontario carriers and opening the borders would aggravate the situation . . .

"Following the deregulation of US trucking in 1980, truckers in the United States argued that Canadian procedures were anti-competitive." I do not think that is quite true.

"The OTA, which represents for-hire truckers, presented 40 members before the OHTB," which is the Ontario Highway Transport Board. "All argued against open borders and said they would be put out of business or forced to relocate in the United States if they had to compete on the same footing as US carriers."

The OTA was quoted as saying: "Based upon the evidence . . . a major shift in the balance of trade in trucking services will occur if Ontario discards economic regulation of trans-border trucking between Ontario and the United States. This shift will fundamentally reshape the trucking industry not only in Ontario but throughout Canada, to the detriment of the economic health and political interest of Ontario and Canada . . ."

The Globe and Mail article continued: "This is supported by the consultant's report prepared by Bernard Jones, a former assistant deputy minister in the Ontario Ministry of Treasury and Economics. 'The international trucking market is important to Canada, but even more important to Ontario's economy, since Ontario-based international carriers generate a disproportionately large share (almost 50 per cent) of the total international revenues,' he said.

"In terms of a balance of trade in trucking, the report says it appears that US carriers already have an advantage. US shipments earn more revenue and represent a bigger share of the Canadian market than Canadian shipments do in the United States.

"It also says international protectionist trends are on the rise. If the OHTB supports an open border policy, a transition period of adjustment or phasing-in may be required. The truckers said that with open borders, it would be better for them to relocate in the United States."

5:10 p.m.

I might say that a number of Canadian trucking firms, particularly from Ontario, have already established a base on the American side, moving their facilities from the Canadian side to the American side, with a loss in tax revenue to local municipalities and a loss in jobs, to try to be competitive with the American side. For example, Red Star Express Lines of Auburn Inc., that is Auburn, New York, is to follow suit and reduce rates by 30 per cent in hopes of capturing the domestic traffic. So we can see there is going to be a price war through deregulation.

The same thing is happening with commercial airlines in the United States. Here in

Canada we are going to run into some difficulties as they start a price war to try to capture the market. I am glad the Minister of Transportation and Communications (Mr. Snow) is present. He may well get the message I am trying to convey to the government.

Dr. Haritos, who is an expert on studies on the trucking industry across Canada, suggested that "at the provincial level there is a need for a co-ordinated approach to roadway pricing and investment policy rather than the current approach in Ontario whereby the MTC handles roadway construction and maintenance and Treasury and Economics establishes motorist-related revenue policies."

The member from Hamilton mentioned the research facilities here for the members. I do appreciate the research services that are provided to members who make use of the services at our library here in the Legislative Building. They provide a good service. They provide members who request it with excellent background material for speechmaking, and I do not think it is at a cost of \$20,000 a speech. It may be \$20,000 for the salary of the person working in the legislative research facilities. I hope these services will continue to be available for a number of years, because they provide the members with exceptionally good background papers to debate an issue such as this before the Ontario Legislature.

I raise the matter of the cost ratio as it relates to the ministry of highways, the cost of construction in Ontario and the maintenance. I find from the information I have before me that at present the province generates about 70 per cent of the costs of road-building and maintenance from revenue generated by the petrol fuel tax, vehicle licences, public commercial vehicle licences and so forth.

The remaining 30 per cent comes out of general—

Hon. Mr. Snow: The member had better get a new researcher.

Mr. Haggerty: I will get into the nuts and bolts and right down to the detail.

Mr. McClellan: Does the member want more researchers?

Mr. Haggerty: I need some more; that is right. But I suggest to the minister that I will get down to the nuts and bolts and perhaps put it to him that some of these comments have come from his ministry. I am just taking a general look.

Hon. Mr. Snow: I just said the information the member is giving is not factually correct.

Mr. Haggerty: I suppose I could look at the same thing from his side. It is debatable; That is why we have a Legislature here.

The point I am trying to get through to the minister is that a large proportion of the cost of operating the road network in Ontario, that is, the construction and maintenance, comes from the consolidated revenue. In fact, one might say it all does. But a portion of it that may run about 69, 70 or 72 per cent is raised through a tax levy on the user fee in Ontario.

The minister is shaking his head. We will get into it and we will see. Perhaps I can get him to come forward with some suggestions.

Hon. Mr. Snow: I am just giving the member the facts, that is all.

Mr. Haggerty: The facts are under the heading here of "Estimated Motorist-Related Revenues and Costs for Ontario":

"The Ontario committee on taxation (1967) (Smith commission) as part of its mandate to inquire into the Ontario taxation and revenue system, conducted an analysis of motor vehicle revenues in relation to road costs. With the technical assistance of the Ontario Department of Transport (now MTC) the Smith commission estimated total annual road costs for 1967 at \$550 million.

"With regard to financing road costs and the establishment of a user and nonuser share, this commission recognized the principle 'that road users [including truckers] should be required to pay only for that portion of the road system that is not designed to provide access to property.'

"Based upon supporting revenue computations, the commission concluded that 'current motor vehicle revenues in Ontario should range somewhere between 65 and 75 per cent of average annual road expenditures.' I suppose it would be somewhere around that now.

"Motor vehicle revenues based upon computations from the 1966-67 budget figures were estimated at \$375 million or 68 per cent of the estimated road expenditures. The commission noted that this 'value falls at the lower end of our acceptable range' and that 'some increase in user charges could properly be countenanced.'

"With the assistance of the Department of Transport, roadway costs were then distributed among various classes or types of vehicles ranging from passenger cars to the largest trucks. These computations involved the use of data on the number of vehicles in each vehicle class, estimates of the annual road mileage by vehicle class, the pavement and bridge design costs of accommodating heavy trucks and the

distribution of costs according to the axle weight or gross weight of each class.

"The key conclusion of this complex cost allocation process, whereby user costs and revenues were compared by vehicle class, was that the 'present revenue structure in Ontario tends to charge passenger vehicle [i.e., a car] and light truck owners less than the road costs they occasion, while the owners of heavy trucks and buses are more than meeting their cost responsibility.' As a consequence of this finding, the commission did not recommend that truck user charges be increased. Nor did the report recommend that motor vehicle revenues attempt to meet all roadway costs.

"Over the years, the Smith commission's motorist-related percentage roadway cost recommendation has been used to compare computed motorist-related revenue/cost figures for Ontario. The findings of the Smith report have been cited by the Ontario Motor League (OML) to claim that for 1976-79 motorists were paying more than their 65 to 75 per cent share. In association with this OML brief, the Ministry of Treasury and Economics made computations of 1977-78 and 1978-79 motorist-related expenditures and revenues. For 1977-78 it was estimated that road users met 63 per cent of these expenditures and 63.9 per cent of these expenditures for 1978-79. There is no specific indication, however, that these computations have been influenced motorist-related taxation policy.

"The Ontario Trucking Association (OTA), in an April 1982 brief, cited the Smith Commission (1967) as recommending the abolition of the PCV (public commercial vehicle) fee.

"Canadian Transport Commission/Haritos Study (1973) of Canadian Road Pricing Policies: This landmark analysis conducted by Dr. Zeis Haritos, a transportation economist with training in economics and engineering, was the first comprehensive attempt in Canada to measure roadway expenditures to relocate costs to users. Ontario roadway expenditure/cost data for 1968 were a major component of this analysis. This report was based upon the premise that the 'objective of efficient allocation of resources will be satisfied if all road costs are recovered from the road users' and that 'road financing out of general taxation is inefficient.'

"Using the author's preferred assumptions of a nine per cent rate of return, 20-year road life and straight-line depreciation method, road costs for Canada in 1968 were estimated at \$2,160 million and road revenues were \$1,347 million. The comparable costs for Ontario were

\$731.8 million with revenues of \$520.1 million. For Canada, roadway revenues amounted to 62 per cent of costs and for Ontario the comparable figure was 71 per cent of costs. Haritos saw 'the large gap between road costs and revenues ... [as] an indication of the degree of inefficiency [from an economic pricing perspective] in the road system in Canada.'

"Based upon a comparative analysis for Ontario in 1968 of efficient road user charges compared with actual road user charges by vehicle class or type, the study reached the following overall conclusion: 'Passenger vehicles [cars] as a group, paid less than their efficient share of the road costs, buses paid a little more than their efficient share of road costs and trucks less than their efficient share of road costs.'"

5:20 p.m.

We have seen over the years that the minister has increased the costs of motor vehicle licences to cars of certain size, horsepower or size of engine: four-, six- and eight-cylinder. At one time one paid a pretty hefty price for operating an eight-cylinder vehicle, but today the minister has dropped all the different variations in costing the vehicle licence to an even amount and everybody pays the same, whether it is a small or large car.

I can see the wisdom of the minister moving in that direction because there are more small cars coming on to the road. More people are buying small cars so that it is a good way to equalize the costs in the long run. It is going to be more advantageous to the coffers of the ministry.

To continue to quote from the study: "Therefore, for efficiency, the 1968 level of total annual (vehicle road) charges (in Ontario) to passenger cars should be raised; similarly, the present level of charges to trucks should be raised, whereas the level of charges to buses should decrease.

"These recommendations were based upon a road pricing scheme which would lead to full cost recovery from road users.

"Subsequent transportation cost/revenue work by Haritos and Transport Canada has demonstrated that the percentage of roadway costs recovered from revenues has declined. However, it is interesting to note that the road-user cost recovery is substantially higher than for the air or marine modes. Rail passenger services in Canada are also heavily subsidized from general revenue."

It goes on to give the percentage of costs recovered in a section headed, "Transport Infrastructure Costs and Revenues in Canada for

Selected Years by Mode," in millions of 1975 constant dollars. In 1968, with respect to the road annual costs and annual revenues, the percentage of the costs recovered was 72 per cent in 1968, 63 per cent in 1973 and 59 per cent in 1975. One can see that the user fee has declined considerably. If one takes it province by province, it had to go to the consolidated revenue to pick up that extra cost.

When one looks at the consolidated revenue to carry some of the costs of that road construction and maintenance in Ontario, there are a number of taxpayers who have never owned an automobile who are carrying a load through taxation to maintain a highway system.

Of course, the arguments are that you are going to get your goods delivered to your door. Well, you could get it done before by railway.

The study continues: "For 1979, in additional transportation revenue/expenditure computations, Transport Canada computed that the net road revenues for Canada [i.e., excluding revenues generated by the federal excise tax on gasoline] amounted to 47 per cent of the annual expenditure. For Ontario, the province with the most concentrated vehicle population and roadway network in southern Ontario, net road revenues for 1979 amounted to 64 per cent of the annual total expenditures. Provincial net road revenues were estimated at \$1,152 million with expenditures of \$1,803 million. The Ontario revenue/cost ratio was the highest of any province, with Nova Scotia having the next highest ratio of 52 per cent.

"With regard to the current policy directions, Dr. Haritos, during a March 17, 1983, telephone interview, suggested that at the provincial level there is a need for a co-ordinated approach to roadway pricing and investment policy rather than the current approach in Ontario whereby MTC handles roadway construction and maintenance and Treasury and Economics establishes motor-related revenue policies. Dr. Haritos cited the example of Transport Canada, which co-ordinates federal transportation planning and also has direct input into federal transportation user-charge policy formulation.

"If such an approach was used in Ontario, a related policy issue would be to establish a fair-share target which various roadway users should pay. Dr. Haritos also emphasized that since his base analysis, using 1968 data, roadway users' percentage contribution towards total roadway costs has declined. With regard to fair share pricing and trucking it would have to be decided whether truckers should pay more or

less. Such pricing policies would also have to take into consideration the current economic health of the trucking industry."

I turn now to the Highway Revenue/Cost Allocation Study by the Canadian Institute of Guided Ground Transport, 1983.

"This most recent analysis of highway costs and revenues attributable to trucks particularly in Ontario, was conducted by Mark Bunting, a research associate with CIGGT at Queen's University in Kingston. Through the adaptation of highway cost allocation methodology developed in the United States to highway cost and revenue data compiled for Ontario, this CIGGT study '... suggests that intercity trucking in Ontario receives a subsidy of \$235 million per year. [For 1979, revenues attributable to truck operations in Ontario were estimated at \$91 million and attributable costs were estimated at \$326 million].

"Further examination of available information on road deterioration and road capacity use in the context of Ontario's Highway 401 (between Toronto and the Quebec border) indicates that the estimates of the truck share of costs should be increased, reflecting higher-than-average truck volumes and the significant impact of trucks on available road capacity. [For this segment of the 401, revenues attributable to intercity trucking for 1980-81 were estimated \$18 million, compared to attributable cost estimates ranging from \$29 million to \$58 million.]"

It is noted that in Quebec the Canadian Pacific Railway, in the trucking part of its transportation mode, is using the train type of transport now where there are three trailers of a certain length—I think it is 38 feet—triple trailers. CP Express has been given permission by the Quebec Ministry of Transport to haul three 28-foot pup trailers in tandem between the company's terminals at Lachine, Quebec, and Quebec City. Quebec is the third province to allow the use of triple-trailer trains. They are already in use in Alberta and Manitoba.

That brings up another concern, because in the United States there was a study done on the results of the Test Spur Debate. This is from the Brookhaven News of April 24, 1982, on truck damage to highways. It says the study was done by United States engineers.

"The most controversial conclusion was that a single fully loaded, 80,000-pound truck—the heaviest allowed on US highways—causes the equivalent in pavement wear of 9,600 automobiles.

"Illinois officials have since concluded as a result of tests that on average, a tractor-trailer

on the state's highways, taking into account that some are empty and some have partial loads, is equal to 3,400 automobiles in causing wear.

"We learned from the tests that if you increase axle weight, you wear out the roads quicker," said Larry Shoudel, permit engineer for the state division of highways.

"The American Association of State Highways Officials conducted a \$27-million Ottawa tests in co-operation with the federal government." That is, in the state of Illinois. "The tests showed that a truck with an 18,000-pound axle load—the maximum allowable in Illinois—equals 6,000 cars in wear but a truck with a 20,000-pound axle load—the maximum in 47 other states—equals 9,600 cars in road wear. That is an 11 per cent increase in weight, but a 60 per cent increase in highway wear.

"A truck with a 24,000-pound axle load represents a 33 per cent increase in weight and a 345 per cent increase in highway damage, the tests showed.

"An official of the American Trucking Association, a trade group representing the industry, said: 'They ran axle weights of 30,000 pounds and more over sections of pavement that were not designed to take them. The sections designed to modern standards were not damaged.'"

There are pros and cons in that particular area. If a road is designed to carry a certain weight, projecting the weights of these new trucks and trains that are coming on to the roads, it will cost the taxpayers more because no doubt we would have to put a heavier base in the roads to carry that weight and additional asphalt on top.

5:30 p.m.

"The CIGGT study also raises the concern that an increasing volume of heavy trucks would accelerate pavement deterioration. This report will also likely prompt debate among transportation engineers and economists over the methodology and assumptions used to reach the above cost/revenue findings. Indeed, the study admits to some data availability and compilation difficulties. Future studies may be undertaken to refine the data and cost allocation methodology used in this work.

"Based upon the trucking industry perception that the 'CIGGT is a research front for the railways,' The Ontario Trucking Association has taken issue with this study's findings which imply that the trucking industry is not paying its fair share. The OTA has advocated an independent revenue/cost analysis be undertaken by the Ontario Economic Council." That study was

done but I do not think it was too fruitful for either side. "Indeed, this CIGGT study was financed by the Canadian National Railways. Bunting, however, emphasizes that the views expressed are his own and do not necessarily represent the views of the sponsor or other agencies."

I might add, too, that when we are talking about the railroads, today they are abandoning many railroad facilities and trackage in different communities. In fact, I have a letter from the Canadian Transport Commission where Canadian National Railways, relating to file No. 3930260 to the Canadian Transport Commission, has made application to abandon the Dunnville subdivision between Fort Erie, Port Colborne and Caledonia, a total mileage of I think 58 miles.

One looks at what has taken place. As I travel the Queen Elizabeth Way, I see more and more trucks on the road than ever before. I know the Ministry of Transportation and Communications is constructing additional lanes at the Burlington Skyway. I suppose the reason for that is to handle the number of heavy vehicles, the trucks that are making use of that roadway between the United States and Toronto.

At the border crossings in the peninsula at Fort Erie, Niagara Falls and Lewiston, there are more American trucks coming in all the time. In fact, railroads are abandoning many of their lines now. I cited one for an example. They are putting more on transport trucks, heavy tractor trailers in which the railroads are now involved.

CN and the CP have a network all across Canada. In other words, they are not maintaining the present roadbeds. They are abandoning them and making use of provincial highways across Canada. I question whether they are paying their fair share in the cost of maintaining, reconstructing and building these roads to keep them up to certain standards. When they pull up the lines in these communities that means the local municipalities have to spend more money on their road networks to handle the different changes in transportation mode as a result of coming in by transport. This is going to cost the municipalities.

As I said in my opening comments, the first minister of the province says the transfer payments to municipalities will be less than four per cent. It is going to be less than what it was last year. If we change our transportation mode to these heavy trucks it will mean more costs to the municipalities in repairing roads because these trucks are going to be intercity, in some cases,

or from one community to another. They are going to be using the superhighways such as the Queen Elizabeth Way, Highway 401 and Highway 400.

That is one of the points I wanted to drive home to the minister. At some place along the line he is going to have to legislate. He is going to have to take a serious look at the cost allocation, the damage to our roadways and who will pay for it. Should it come out of the consolidated revenue fund or from user fees, perhaps a higher charge?

"The debate over these pavement damage/cost allocation methods entered into the American congressional committee deliberations leading up to the 1982 revision of the Surface Transportation Assistance Act. A key element of this debate was the potential long-term impact of heavier trucks upon interstate highway pavements.

"The American Railroad lobby emphasized that increased truck weights will 'cause disproportionate strain on the highway system' and would have a 'devastating impact' on railway revenues. Railroad interests cited AASHTO tests to emphasize the increased stress that greater truck weights would impose on the highway system. The American Automobile Association also emphasized the adverse impact that increased truck weights would have upon the highway pavements and safety. The AAA recommended a reduction in the heavy truck axle-loadings and the maximum gross weights.

"The American Trucking Association, however, has strongly criticized the strong reliance on the AASHTO test data to determine truck cost allocations. The basic position of the American Trucking Association appears to be that the recently introduced level of tax increases is excessive in view of what it sees as the actual impact of heavier gross vehicle weights that the structure would be required to support. When special permits are issued for the operation of overweight vehicles on Ontario highways MTC engineers would ensure that these vehicles have an adequate number of axles to distribute their loads and are routed over bridges that can handle their weight. On some occasions shippers may compensate MTC for the required upgrading of bridges to accommodate overweight loads for which no alternative route is possible.

"The Ontario Motor League, in its submissions to the Uffen commission, based upon American experience, emphasized the pavement damage factor in the operation of larger trucks. The OML also highlighted the problem

of roadway rutting which it implied is related to truck traffic and examples of rutting were cited along Highway 401 between Cobourg and Belleville, Highway 7 between Kaladar and Perth, and between Carleton Place and Highway 417. The MTC would probably regard this alleged 'rutting' as a normal highway pavement maintenance concern.

"In its Statement of Policy (1983) the Canadian Automobile Association recommended: Provincial governments are urged to conduct highway cost allocation studies to: determine the relative share of highway costs, both construction and maintenance, that should be borne by each user class; determine if each user class is currently paying its fair share of highway costs; if necessary, to recommend methods of adjusting provincial fees and taxes for each user class to ensure that each class is paying its fair share of highway costs."

I bring these to the attention of the Legislative Assembly. I am concerned about these regulations in the trucking industry here in Canada and the United States. I feel that we, in Ontario, may be shortchanged; that we may lose a number of jobs through the deregulation of the trucking industry.

I would recommend that this government have an immediate study done in this area to find out what impact it would have on the economy in Ontario, as related to the possible lost revenue, if the American trucking industry is permitted to come into Ontario and run its fleets of trucks all the way across the United States and Canada.

I was delighted to see one of the reports from the Ontario Highway Transport Board which stated they did not permit one of the American trucking firms to take over a trucking industry in—I guess it would be the Brampton area. I do not have it before me right now. The application was turned down and it was one of the largest trucking companies in the United States. Once they get a foothold in Ontario, we might say goodbye to the domestic trucking industry in Ontario.

I suggest the government should be looking at doing a study in this area of future lost employment if, through deregulation, it means that more and more American trucks will come into Ontario. If I were a Canadian or an Ontarian truck driver and had to drive to different states, I would have to pay a user fee on the superhighways. For example, driving a vehicle in New York state, I would have to pay a user fee on the New York State Thruway. One pays for the use

of that superhighway. If I travelled into Pennsylvania and used the turnpike, I would pay a toll there too. Also, I would have to pay a certain amount in gasoline tax, or petrol tax. One has to pay so much every time one enters a different state.

Here, I do not know. I question whether they are even paying any fuel tax in Ontario. They will fuel up on the American side because it is cheaper to buy diesel fuel and even gasoline on the American side, then ride over here and piggyback on to the cost of the ad valorem tax that we as the ordinary people of Ontario have to pay. I suggest that is an area that should be looked at.

5:40 p.m.

I think we should also take a good, close look to see if we should not be imposing a higher user fee for the use of those roads. As I indicated before, a number of citizens in Ontario are paying through the consolidated revenue by different forms of taxes. Provincial income tax, which goes into consolidated revenue, goes to the cost of maintaining and building our provincial highways. Yet we have different modes of transportation.

It could be a possibility that studies have been done here about permitting truck trains to travel on our highways, which increased the payload. Perhaps they are not carrying their fair share of the cost of operating a road network in Ontario. I think it is time this government took a good close look at that area.

I do not think we can continue to go to the consolidated revenue to carry a good portion of the road maintenance costs in Ontario. I just feel that even if it was reduced by 15 per cent, the revenue there could be applied to OHIP premiums, which would give a certain relief to lower-income people who would be able to obtain a good medical program or plan.

I have raised some important matters here. I am concerned about jobs. I would suggest, regarding jobs that may be lost and are being lost, that an immediate study be done by the ministry to take a good look at it now before all of these major changes that will be coming forth, as suggested by the Ontario trucking industry. It is a concern of those people involved in it that we could lose 5,000 jobs. I suggest that in Ontario we cannot even think about losing 5,000 jobs because there are not that many jobs, and what there are, this government has a responsibility to protect.

With those comments, Mr. Speaker, I thank you for the time provided for me. I thought I

would bring this point forward. I think it is time we took a whole new look at our transportation policy in Ontario and perhaps have a further debate on it in the Legislature. There are problem areas that need immediate attention before we are short-changed through deregulation.

Ms. Bryden: Mr. Speaker, we are today debating a request for interim supply for the period from November 1 to December 31. As I am sure all members are aware, the request for supply is a very ancient part of our democratic process whereby the governing party has to come to the Legislature for supply at periodic intervals. It does give us an opportunity to discuss the question of the direction of government spending to date in the fiscal year and what direction it will take in the next two months.

I must say I am not too happy with the direction it has been taking up to date in this fiscal year. We seem to be continuing the government's rich expenditures on advertising, foreign travel and expensive entertaining while, at the same time, we are seeing government cutbacks or restrictions in the increase in services to people. We are seeing agencies serving people and not being able to keep up with the rate of inflation in the grants that have been allocated to them.

For example, in the field of funding of interval houses for battered women, there has been no movement by the government to improve their situation, despite the strong recommendations from the standing committee on social development which discussed this very important question last year, in 1982, and which brought in a very strong report in December 1982 urging that funding for interval houses should be raised and broadened so they could cover not only room and board but counselling services, rehabilitation and resettlement services for women who had to leave their homes permanently.

All we have had in that area is a program from the Minister of Community and Social Services (Mr. Drea) for 12 interval houses in northern communities, but it appears these will be very underfunded as far as operating costs go. I understand the minister is proposing an administrator at \$15,000 a year and three or four minimum-wage workers to staff these houses. Also, he is not funding houses that already exist in these areas, such as in Kapuskasing where there is a house that can accommodate 17 people. That will not be funded and instead the new eight-bed home that is being offered throughout the north will be offered to them in exchange.

Surely this is not progress, this is a step backward when the Kapuskasing community has been funding, through its own efforts and through some per diem grants, a home that would provide beds for 17 people, and it will get instead a home that will provide beds for about 10 or 12.

As far as looking ahead is concerned to the kind of expenditures we would like to see in the next two months, the balance of the fiscal year, we hope there will be a change in the government's expenditures for job creation. We are facing a winter of serious unemployment in this province. Layoffs are increasing; they are being announced every day. The construction industry is coming into the lean part of the year. What we need is a series of public works that can be accelerated, some of which can be started in the winter with the balance ready to start in the spring.

The New Democratic Party caucus at city hall in Toronto has produced a very imaginative program of employment projects that could be undertaken right away. Even the mayor of the city of Toronto has produced his own somewhat lesser program of projects that could be undertaken. But so far, we have not had any indication from the government that it is prepared to assist with the funding of these emergency and accelerated public works programs that could put people to work this winter. We know that co-op housing bodies and nonprofit housing agencies in the municipal field have housing plans ready to go but they cannot get the money from Canada Mortgage and Housing Corp. at present.

In view of the serious unemployment situation, the province should move in to fill the gap and provide us with work and with more affordable housing because these are two of the most serious problems in this province at present. There is simply not enough affordable housing, particularly in some of the larger centres such as Toronto. As a result, the pressure on rents is becoming very strong and the pressure on developers to build luxury housing outside the rent-control system is also becoming very strong because they know people have to live somewhere and if they cannot find affordable housing under rent control, they will be forced to buy housing which will cost as much as 35 per cent or 40 per cent of their income. That is an unacceptable level for most people if they wish to maintain their standard of living in other areas.

5:50 p.m.

Another area where the province appears to be cutting back, which I think it should reconsider, is the area of termite control. A new program being discussed will essentially put more of the burden on the municipalities and less on the province. This is a backward step with regard to the treatment of a serious problem that can affect a great deal of housing in this province, particularly in the city of Toronto. It is a problem in my own area, it is a problem in most wards of the city of Toronto. If we do not encourage people to make their homes termite-proof, the problem will continue to grow. I think this is the wrong time to change the funding so that there is less incentive for people and for municipalities to produce termite control programs.

Last Thursday, this House endorsed the principle of equal pay for work of equal value, and not a single member present in the House voted against it. The Ontario government could lead the way in the Ontario public service and the crown agencies to show how this principle can be implemented. If it did so, this kind of program would have a big stimulative effect on the economy, which is what we need right now. It would put a lot of additional purchasing power into the hands of women who have been underpaid over the years with regard to the value of their work when it is compared to the value of other jobs. If we put the extra money that these women are in fairness entitled to into their hands, they will spend it immediately, because a great many of them are at a very low standard of living, and that will be a real shot in the arm to the economy. If the Treasurer (Mr. Grossman) is looking for stimulative programs, I commend that one to him.

I would also suggest that if the Treasurer wanted to get a double whammy from this kind of stimulus, he could bring in equal pay for work of equal value legislation and get the private sector roped into the act as well. If the private sector were bringing in equal value settlements in its employment sector, there would be a double whammy on the shot in the arm for the economy. This is an area that I think the Treasurer should be thinking of for the next two months. It would also indicate to the House whether the government members really meant it when they endorsed the principle of equal pay for work of equal value. We have a chance to find out by December 31 whether they really do endorse that principle.

Another area where we think government spending must be directed immediately is the

problem of meeting the microtechnology revolution. Microtechnology enhances computer technology and, as a result, we have what is called a revolution in our offices, in our service industries, in our factories and in the general information and communications field. The question is, what effect is that going to have on the people in the province? I do not think the government can back away from looking at those effects.

This revolution is coming in during a period of severe cyclical depression, and since it comes in during this period there is all the more reason why the government must act to meet that revolution and to deal with the adjustments that will be necessary. Most of the studies indicate that women will be the most affected by the microtechnology revolution. Thousands of women will be displaced from office and clerical jobs, telecommunications companies, banks, supermarkets, postal services and similar service industries. Men will be also displaced in those industries and in factories—both men and women.

I think we have to look at how those people are going to be affected. Are they just going to be put on the unemployment roles to end up on unemployment insurance and welfare, or are we going to help them adjust? Are we going to train them for the new jobs that will develop with the use of microtechnology in these fields?

It is a question of either letting the revolution happen and letting people fall by the wayside or meeting it head on. That will require government intervention in fields such as training and retraining for the workers affected. It will also require a strong commitment to technological development and the promotion of it in Canada.

Canada has been lagging in technological development and currently relies heavily on foreign sources such as the United States and Japan for microelectronic machinery. Without a strong commitment to the development of new technology, Canada's economy could suffer badly. Foreign dominance and foreign control of the economy could increase with the result that crucial decisions about Canada's economic future could be taken out of the hands of Canadians. Balance of payments problems would grow and, very likely, the number of jobs available to all Canadians would decline.

When we face this kind of prognosis from the microtechnological revolution, we require action by the government to meet it head on. This is the kind of spending they should be looking at in the next few months.

Whether women have access to the new jobs that are to be created will depend on whether they have access to education and training opportunities. This is where the ministries of Education and Colleges and Universities must get involved to a much greater extent than they are at present.

The Ministry of Education must set up special training programs for guidance counsellors in schools. These counsellors must be oriented to encourage girls and young women to take science and mathematical courses, and to learn about computers. They must also develop apprenticeship training programs and skills training programs in the community colleges and in the universities, and encourage women to enter those programs.

One thing we have to remember is that in the past when we have had changes in jobs there has been a tendency to fall back on the service sector and say that new jobs can be created in the service sector, and the women who are dealt out of the banks and the telecommunications companies will find jobs in the service sector. I think we have to recognize the service sector is

also greatly affected by the microtechnological revolution. The jobs will disappear there or they will be broken down into smaller jobs or decentralized jobs.

We have to look also at the quality of work which may stem from the change in the nature of jobs. We do not want to go back to piecework in the home, but that may happen if jobs are deskilled and broken down, and terminals can be put in every home.

Mr. Speaker: I ask the honourable member to look at the clock, please.

On motion by Ms. Bryden, the debate was adjourned.

Hon. Mr. Wells: Mr. Speaker, before moving the adjournment of the House, I might indicate that since this debate does not appear to be concluded yet, it was agreed we would continue it Thursday evening in place of the debate on the committee report on pensions. This debate will continue at eight o'clock on Thursday evening.

The House adjourned at 6 p.m.

CONTENTS

Monday, October 24, 1983

Statement by the ministry

Baetz, Hon. R. C., Minister of Tourism and Recreation:	
Leisure services in Ontario.	2355

Oral questions

Andrewes, Hon. P. W., Minister of Energy:	
Hydro rates , Mr. Peterson, Mr. Rae.	2356
Hydro rights of way , Mr. Ruston.	2367
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:	
Rent review appeal decisions , Mr. Bradley.	2363
Duty-free shops , Mr. Newman.	2365
McMurtry, Hon. R. R., Attorney General:	
Supreme court decision , Mr. Rae.	2360
Sudbury housing , Mr. Laughren, Mr. Van Horne.	2362
Miller, Hon. F. S., Minister of Industry and Trade:	
White Farm Equipment Canada Ltd. , Mr. Gillies, Mr. Nixon.	2365
Ramsay, Hon. R. H., Minister of Labour:	
Port Arthur shipyards , Mr. Hennessy.	2363
Layoffs at Allen Industries Canada , Mr. Mackenzie, Ms. Copps.	2366
Taylor, Hon. G. W., Solicitor General:	
Niagara Regional Police , Mr. Swart.	2364
Wells, Hon. T. L., Minister of Intergovernmental Affairs/Acting Minister of Health:	
Pharmacists' payments , Mr. Peterson, Mr. Conway.	2358
Ark Eden Nursing Home , Mr. Rae.	2359
Prosthetic devices financial assistance , Mr. Mancini, Mr. Martel.	2361

Petitions

Inflation restraint legislation , Mr. Conway, Mr. Eakins, Mr. Rae, Mr. McGuigan, Mr. Wildman, Mr. Hennessy, Mr. Breithaupt, Mr. Allen, Mr. Laughren, Mr. Gregory . . .	2367
---	------

Government motion

Interim supply , resolution 13, Mr. Wells, Mr. T. P. Reid, Mr. Mackenzie, Mr. Haggerty, Ms. Bryden, adjourned.	2369
---	------

Other business

Visitor , Mr. Speaker.	2367
Adjournment	2395

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
Andrewes, Hon. P. W., Minister of Energy (Lincoln PC)
Baetz, Hon. R. C., Minister of Tourism and Recreation (Ottawa West PC)
Bradley, J. J. (St. Catharines L)
Breithaupt, J. R. (Kitchener L)
Bryden, M. H. (Beaches-Woodbine NDP)
Conway, S. G. (Renfrew North L)
Copp, S. M. (Hamilton Centre L)
Eakins, J. F. (Victoria-Haliburton L)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Gillies, P. A. (Brantford PC)
Gregory, Hon. M. E. C., Minister of Revenue (Mississauga East PC)
Haggerty, R. (Erie L)
Hennessy, M. (Fort William PC)
Jones, T., Deputy Speaker and Chairman (Mississauga North PC)
Laughren, F. (Nickel Belt NDP)
Mackenzie, R. W. (Hamilton East NDP)
Mancini, R. (Essex South L)
Martel, E. W. (Sudbury East NDP)
McGuigan, J. F. (Kent-Elgin L)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)
Miller, Hon. F. S., Minister of Industry and Trade (Muskoka PC)
Newman, B. (Windsor-Walkerville L)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, Hon. K. C., Minister of Health (Kingston and the Islands PC)
Peterson, D. R. (London Centre L)
Rae, R. K. (York South NDP)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
Reid, T. P. (Rainy River L-Lab.)
Ruston, R. F. (Essex North L)
Swart, M. L. (Welland-Thorold NDP)
Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)
Turner, Hon. J. M., Speaker (Peterborough PC)
Van Horne, R. G. (London North L)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Tuesday, October 25, 1983

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, October 25, 1983

The House met at 2 p.m.

Prayers.

PRINTED HANSARD

Mr. Speaker: I beg to inform the House that owing to a strike by the Toronto pressmen's union, the formal printing of Hansard has been temporarily suspended. The draft transcript of proceedings in the Legislature and its committees will continue to be produced by our own Hansard staff for distribution to members and other regular recipients.

VISITORS

Mr. Speaker: I ask all members of the assembly to join me in recognizing and welcoming the following guests in the Speaker's gallery: Mr. John Carter, member of the House of Assembly and chairman of the select committee on election expenses for Newfoundland, and Mr. Wilson Callan, member of the House of Assembly and deputy chairman of the same select committee.

As well as these distinguished visitors, we have others who are visiting the Ontario Legislature and meeting with elected members and those associated with various responsibilities in the government. I ask you to join me in welcoming the Honourable Tony Brummett, Minister of Lands, Parks, Housing and Environment for British Columbia, and the Honourable Clarke Ashley, Minister of Housing for the Yukon.

STATEMENTS BY THE MINISTRY

UFFEN COMMISSION

Hon. Mr. Snow: Mr. Speaker, today I would like to take this opportunity after the summer's hiatus to bring the House my promised update on my ministry's response to the Uffen commission on truck safety.

As members will recall, Professor Robert Uffen completed the report of his inquiry into safe trucking in Ontario last April. As a result of his intensive investigation, Dr. Uffen offered 61 recommendations covering a range of concerns including drivers, vehicles, highways and traffic laws. We agree with the vast majority of Dr. Uffen's proposals. In fact, since the report was tabled, action has been taken or is pending on

more than half of his recommendations for improving truck safety in Ontario.

The more far-reaching of Dr. Uffen's suggestions will take more time to consider in all their implications. Longer-term recommendations are being studied in detail to decide on the best way to implement them. It may well make sense to dovetail some of these with our overall trucking regulation review program and include them in the new Public Commercial Vehicles Act.

Members will find the comments of the Ministry of Transportation and Communications on each recommendation summarized in a report appended to their copies of this statement, which will be in their mailboxes this afternoon.

It is too early to judge the effect of the actions we have taken so far. I will be reporting back to the House periodically to keep the members informed of our progress. But I am confident, as the new legislative framework governing the trucking industry is informed by Dr. Uffen's proposals over the next few years, we will see trucking in Ontario become a much safer and more efficient enterprise.

PORNOGRAPHIC VIDEOTAPES

Hon. G. W. Taylor: Mr. Speaker, members of the Legislature will be aware that yesterday His Honour Judge Stephen Borins ruled that 11 videotape movies featuring bondage, victimization and sexual violence were beyond community standards. His Honour has recognized particularly society's concern with the degradation and dehumanization of women which is found in these videotapes.

As Solicitor General, I previously cautioned members of the public, particularly parents, about the availability at retail rental outlets, and I indicate "at some retail rental outlets," of videotapes the police believed were obscene. I welcome Judge Borins's ruling that these 11 films are obscene. It is a step in the right direction and confirms the guidelines that have been followed by the dedicated officers of Project P in the performance of their duties.

I advise videotape store operators and members of the industry to remove copies of the offending tapes from their shelves immediately

to avoid possible criminal charges in line with the dictates of His Honour Judge Borins's judgement.

Members of the public are also entitled to know the titles of these obscene videotapes, which I believe have not yet been published in the news media. The titles are: *Anna Obsessed* (Ontario version and Quebec version both convicted), *A Coming of Angels*, *Erotic Women in Love*, *Games Women Play*, *Skintight*, *Summer of '72*, *Tale of Tiffany Lust*, *Les Aventures Amoureuses de Monsieur O*, *Bruteuses Infernales*, *Jeux de Corps* and *Scrabble d'Amour*.

I put those forward because I think the public is entitled to know those names and to be aware that some on the shelves should be removed.

INFLATION RESTRAINT LEGISLATION

Hon. Mr. McMurtry: Mr. Speaker, yesterday members opposite asked several questions about the decisions of the Divisional Court in relation to the Inflation Restraint Act, 1982. In answer, I said I would be studying the decisions, along with my senior constitutional law advisers, and would be making a statement today. As well, I said I would not necessarily take the interpretation of the decisions made by the leader of the New Democratic Party and others.

It is now obvious, after examining the 180 pages of reasons for judgement, that this is a complex matter that did not lend itself to the instant analysis of the leader of the third party and some others who have made comments upon it clearly without having digested the facts. Today, I would like to set out briefly but clearly what in fact the decisions do say, not as others would seek to interpret them.

The Divisional Court released judgements in three judicial review applications concerning the Inflation Restraint Act, 1982. One application, brought by the Ontario Public Service Employees' Union, sought a declaration that the Inflation Restraint Act is unconstitutional and absolutely void and inoperative. The other two applications challenged decisions of labour tribunals and sought declarations declaring all or part of the Inflation Restraint Act to be invalid.

The effect of these decisions is that the Divisional Court unanimously upheld as valid the core of the Inflation Restraint Act, namely, the restraint on public sector compensation and the prohibition of strike activity in relation to the issue of compensation. The ruling is that the limits on compensation and the associated denial of the right to strike over the issue of compensation are justifiable and reasonably necessary to

effect the legitimate economic policy objective of the act, namely, to combat inflation.

2:10 p.m.

The Divisional Court unanimously declared invalid section 13(b) of the Inflation Restraint Act, 1982, as infringing freedom of association under the Canadian Charter of Rights and Freedoms in that it suspends the normal collective bargaining procedures, including the right to strike with reference to noncompensation issues. Freedom of association under the charter was interpreted to protect the freedom of individuals to act in concert to pursue all lawful objectives of the association and to include the right to strike. This freedom is, however, not absolute.

The limits imposed under the Inflation Restraint Act on public sector compensation were held to be reasonable and demonstrably justifiable in a free and democratic society. With respect to the limits imposed under section 13(b) of the act on noncompensation issues, the court ruled that a sufficient nexus between those limits and the act's declared objective in combating inflation had not been demonstrated.

In their extensive written reasons, the three Divisional Court judges began the process of judicial interpretation of section 2(d) of the charter. It is a beginning but certainly not the last word. Members will recall the debate in this House in October 1982 when we were told in no uncertain terms by members opposite that Bill 179 was utterly and totally unconstitutional. The results in these three cases establish quite the contrary: the core policy of the legislation has been held to be valid and not contrary to the charter.

Much has been said in these judgements and in broad general terms about freedom of association and the right to strike. I suggest in conclusion that we would do well to remember the dictum of the late Lord Chancellor, the Earl of Halsbury, in *Quinn versus Leatham* in a House of Lords decision at the turn of the century, when he wrote:

"Every judgement must be read as applicable to the particular facts proved, or assumed to be proved, since the generality of the expressions which may be found there are not intended to be expositions of the whole law, but governed and qualified by the particular facts of the case in which the expressions are found."

This caution is particularly applicable to charter decisions.

It is open, of course, to any party to the proceedings before the Divisional Court to

apply for leave to appeal. Such a decision should follow a most careful analysis of the reasons for judgement. For our part, until that process has been completed, no decision on that issue will be taken.

DEATH OF MEMBER'S MOTHER

Mr. Speaker: Before proceeding, if I may have the attention of all honourable members, it is with a sense of sadness and regret that I must inform all members of the passing of Mrs. Philip, the mother of the member for Etobicoke. I do not have any details; I have just been made aware of this situation and thought I should apprise all members of it.

ORAL QUESTIONS

INFLATION RESTRAINT LEGISLATION

Mr. Peterson: I have a question for the Attorney General with respect to his statement, Mr. Speaker. The Attorney General has distilled the statement, and he has determined that the nub of the issue is section 13(b) of the said act, where it was ruled three to zip that the section was unconstitutional. He will be aware that my colleagues in our party moved on four different occasions to strike that section from the legislation both in committee and in this Legislature. He will be aware of that.

Mr. Speaker: Question, please.

Mr. Peterson: So that there will be no unnecessary delay and because the rights of thousands of people are still affected by that act, will the Attorney General move immediately to strike section 13(b) from Bill 179 to restore it to constitutionality?

Hon. Mr. McMurtry: Mr. Speaker, I know the Leader of the Opposition is hard of hearing when it suits his purpose, but I will repeat what I said a couple of minutes ago, that until any decision has been made with respect to an appeal it would be inappropriate for me to comment further.

Mr. Peterson: The Attorney General may want to get into a partisan fight about who has the best legal advice in this House, but his record does not stand up very well in this or any other matter.

The judges severely criticized the Attorney General personally for his delaying tactics and obstructionism when the minister objected to the jurisdiction of the court to hear the application. His Lordship said, "It seems to me to be a waste of time and effort, dilatory and, in short, pointless," referring to what the Attorney Gen-

eral went through in delaying the time frame for hearing this appeal.

Will the Attorney General now proceed with dispatch, at the very least either to clear the matter up through further appeals or to remove the offending clause? Surely he cannot leave thousands of people not knowing their rights just because he wants to sit down with all his crown law officers and read the decision a few more times.

Hon. Mr. McMurtry: I am not going to respond to the customarily silly statements by the Leader of the Opposition. I have nothing to add to what I have already said.

Mr. Roy: Mr. Speaker, does the Attorney General not understand that until the matter has been overturned on appeal, the decision of the Divisional Court is the law? We have just had evidence of this from the Solicitor General (Mr. G. W. Taylor). These people are saying that section 13 is offensive and contrary to provisions of the charter, and that is the law until it is overturned on appeal.

Given that situation, why would the Attorney General not proceed immediately to change it? Second, if I may come back to that point, how does he explain the conduct of his ministry—

Hon. Mr. McMurtry: You know that doesn't even deserve an answer.

Mr. Roy: Let me tell the Attorney General—

Mr. Speaker: Never mind the interjection.

Mr. Roy: Our record before the court is as good as the minister's any time.

Mr. Speaker: Order.

Mr. Roy: His record on constitutional issues is pretty poor.

Mr. Speaker: Will the honourable member please place his question?

Mr. Roy: May I continue?

Mr. Speaker: Place your question, please.

Mr. Roy: He was provoking me, Mr. Speaker. How does the Attorney General explain his ministry's conduct? As my leader has mentioned, Justice Galligan said the approach of the ministry was to delay this matter. Why was this approach taken on such important legislation when the ministry has not done so in other circumstances?

For example, in the French-language reference case that is now referred to the Court of Appeal, the Attorney General seems to have taken the approach that he wants a decision immediately; but in this case, apparently steps were taken to challenge the court's jurisdiction

and delay the matter, with the result that we have a decision one year after the matter is law and confusion reigns right across this province.

Hon. Mr. McMurtry: Mr. Speaker, there is nothing I could ever do about the confusion that reigns all the time in the honourable member's head.

Interjections.

Mr. Speaker: Order.

Mr. Peterson: Mr. Speaker, this man is the chief law officer of the crown. Is there nothing you can do under your powers in this House?

Mr. Speaker: Question, please.

Mr. Roy: He and Al Lawrence will get along well together.

Mr. Speaker: Order.

PORNOGRAPHIC VIDEOTAPES

Mr. Peterson: Mr. Speaker, I have a question for my friend the Minister responsible for Women's Issues pertaining to the pornography issue that was discussed in a statement by his colleague today. Unfortunately, the Minister of Consumer and Commercial Relations (Mr. Elgie) is not here; I would have preferred to have addressed the question to him. However, knowing of the minister's interest in this matter and because he is trying to co-ordinate the government's response to it, I want to ask him this question.

Is it going to be the government's approach to have the police lay obscenity charges under the Criminal Code for every videotape that is found in various video stores, achieve a prosecution and then come into this House and have the Solicitor General (Mr. G. W. Taylor) read out the titles for all to know? Or is it going to be the government's approach to try to move, after consultation with his colleagues, into some kind of control mechanism here; i.e., the Ontario Censor Board? Will he have or has he had discussions with his colleagues with respect to that initiative? What are the results of those discussions? What is he going to do about it?

2:20 p.m.

Hon. Mr. Welch: Mr. Speaker, those discussions are still going on. Certainly, the Criminal Code is beyond the jurisdiction of this Legislature. Indeed, the Criminal Code is quite clear with respect to offences. No doubt the law enforcement people will continue to enforce the provisions of the code.

As to the other aspects of the honourable member's question and the relationship between

the activities of the censor board at present and the expansion of its jurisdiction, this matter is under review by the ministry.

Mr. Peterson: The minister will recall I asked him this question on May 26, shortly after he assumed his new responsibilities. He said at that point he was going to defer giving specific answers until he had a chance to communicate with his colleague. How long is it going to take him to deal with this issue and to catch up with this explosion?

It is admitted on all sides that is what is happening; there is an explosion of new pornographic material. In the circumstances, does the minister not think that having the censor board look at this matter and giving it jurisdiction would be a reasonable way to handle it?

Hon. Mr. Welch: I would assume all members of the House would be appreciative of the decision which was made within the last day or two where we now have a current statement with respect to community standards on a very important subject matter. I do not think there is a member of this House who would like to stand by idly and see women or children degraded in the ways to which reference is made in that decision.

Whatever is the most effective way to accomplish the purpose, I see nothing particularly partisan in this approach. It is a cancer in society that has to be addressed, whatever the effective ways are to do it, consistent with other rights with respect to artistic expression and all those sorts of things. All these matters have to be taken into account. The member would be the first to agree it is a matter of balance.

We do not take this responsibility lightly. I know the minister in due course will have some views to express on this subject.

Mr. Renwick: Mr. Speaker, I wonder whether the minister would take into consideration what is within the jurisdiction of this assembly; namely, develop the kind of legislation which would provide some kind of regulation in the field of those who distribute videotapes so there will then be some way in which this government, through an act of this Legislature, can effectively deal with the major question, the question of volume of distribution and the extent and degree of distribution of videotapes which may be held to be obscene.

Hon. Mr. Welch: Mr. Speaker, I think both the tone and substance of that question are very helpful and should be taken into account.

Mr. Peterson: That is a proper point of view, but the minister will recognize the issue for this House is not the Criminal Code. Of course, I expect the minister to take his views to the federal minister on this matter, as we have. The question is, what can we do here? Clearly, the Ontario Theatres Act can be amended. He can move to give his friend the minister jurisdiction over licensing and distribution.

Does the minister not feel we have a responsibility to move now, or else we are going to see the courts tied up ad infinitum? His friend the Attorney General (Mr. McMurtry) of course is very much against tying up the courts unless it serves his own interest in this matter. We do not need a speech about how serious this is. We need action in Ontario.

What time frame is the minister going to give us so we can develop a plan here in Ontario? Will he take our suggestion that the members of this House from all sides be involved in a select committee in the development of those community standards to get around the prior constitutional problem we had?

Surely there is a specific plan of action we can take here to stem this rising tide of pornography. Why does the minister not do something?

Hon. Mr. Welch: I am sure it will come as no surprise to my friend the Leader of the Opposition that the Solicitor General and the Minister of Consumer and Commercial Relations have been meeting on this subject over a period of time and no doubt will be assisted greatly by the terms of the decision to which the Solicitor General has made reference in the House.

I think I have also on another occasion had the opportunity to review with the House the actions that have been taken. The Attorney General has written to the Honourable Mark MacGuigan, calling for amendments to subsection 159(8) of the Criminal Code. Metro Toronto's Special Committee in Response to Street Violence against Women and Children is addressing this issue and expects to have some helpful suggestions in its report expected later this fall. The women's directorate has been meeting with concerned citizens.

I think the spirit is here with respect to wanting to move. I think we want to move in those areas in which we have some jurisdiction, making it quite clear that we view quite seriously the exploitation of women and children in this way. Indeed, it will be the subject matter of some concerted activity.

INFLATION RESTRAINT LEGISLATION

Mr. Rae: Mr. Speaker, my question is to the Attorney General. I must say I find it ironic that on the same day the Solicitor General (Mr. G. W. Taylor) is able to rise in his place and comment extensively on a decision taken yesterday by Judge Borins without equivocation and with clarity in terms of the position of the government, today from the Attorney General we have total side-stepping equivocation and no clarity—

Mr. Speaker: Question, please.

Mr. Rae: —at all with respect to workers' rights in this province.

I would like to ask the Attorney General, getting to the nub, the heart and the pith of the judgement that was made by the three judges of the Divisional Court—all three judges found that if the freedom of association guaranteed in the Charter of Rights means anything it means a freedom to organize, a freedom to negotiate and a freedom to strike—whether he accepts the judgement of the Divisional Court when the judges say the freedom of association contained in the Charter of Rights implies those three basic rights for all the working people in Ontario.

Hon. Mr. McMurtry: Mr. Speaker, an example of the confusion in the member's own mind is the fact that he would compare Judge Borins's decision on a videotape with obscenity prosecution with this 180-page judgement under a very complex piece of legislation. That he would see an analogy between the two judgements, I think, is quite a vivid illustration of the confusion that reigns in his own mind.

Interjections.

Hon. Mr. McMurtry: It is quite clear the member for Ottawa East (Mr. Roy) does not have any monopoly in that regard. I do not know what I am going to do about it.

The fact is that the member for York South (Mr. Rae) was called to the bar not long ago and he knows that case must be read in the context of the particular piece of legislation and in that context alone.

Mr. Rae: The Attorney General is equivocating on a basic constitutional issue in this province.

Mr. Speaker: Order. Question, please.

Mr. Rae: I would like to ask the Attorney General, without condescension for a moment, if he would have the courtesy to come clean with the people of this province and say whether he understands the meaning of freedom of association in the Charter of Rights or not. Does

he think workers have a right to organize in this province or does he not?

Hon. Mr. McMurtry: That is an unrelated question.

Mr. Rae: It is not an unrelated question.

Mr. Speaker: Supplementary. The member for Ottawa East.

Mr. Roy: Mr. Speaker, if I may—

Mr. Martel: The minister is more of a joker than I thought.

Mr. Rae: The minister does not understand the first thing about this legislation. He does not understand the judgement. He does not understand the case.

Mr. Speaker: Order. For the edification of the member for Sudbury East (Mr. Martel), and I will not say this again, I have no control over the way ministers choose to answer questions.

Mr. Martel: No, he can be insulting and you can protect him when he plays the part of a buffoon.

Interjections.

Mr. Speaker: I thought the member for Sudbury East had a better understanding of what went on. I am going to have to ask him to withdraw that. You are imputing motive, the very thing you object to every day of the week.

Mr. Martel: All right. I will withdraw the imputation.

Mr. Speaker: Thank you. The member for Ottawa East.

Mr. Roy: Mr. Speaker, I address my supplementary with some trepidation because it appears we are all confused except the Attorney General of Ontario who, at different times, has faced the Supreme Court of Canada and, in this case, the Divisional Court where three judges, without equivocating, said he was wrong.

Mr. Speaker: Question, please.

Mr. Roy: He is the one who is wrong. Let us see if we cannot help him pick up the pieces here.

Mr. Speaker: With all respect, I would have to point out to the member for Ottawa East that this is not that period of time when he instructs what is to be done by others. This is oral question period. You may place your question.

Mr. Roy: I apologize, Mr. Speaker. I got carried away a little bit there.

May I ask this? The Attorney General stated, and we have all read, that the Divisional Court—
Interjection.

Mr. Roy: Reuben, did you want to get in on this?

Mr. Speaker: Never mind the interjections.

Mr. Roy: Is he the one who is giving advice to—

Mr. Speaker: Order. Excuse me, but this is an abuse of question period. I must ask the member to place his question immediately.

Mr. Roy: The Attorney General will understand, all of us will understand and none of us is confused by the fact the Divisional Court has struck down and said section 13 is contrary to the charter.

Given that situation and given the Attorney General's statement that there may be an appeal, is he prepared to get in touch with the federal Attorney General to see whether he can refer this matter directly to the Supreme Court of Canada so we can get a decision on this as expeditiously as possible?

Hon. Mr. McMurtry: Mr. Speaker, if the member had any understanding of our procedure, he would know the Attorney General for Canada has no such authority.

Mr. Rae: Mr. Justice Smith on pages 26 and 27, Mr. Justice Galligan on page 33, and Mr. Justice O'Leary on pages 60 and 61, all say almost precisely the same thing. The judgement of Mr. Justice Smith says, "The freedom to associate as used in the charter not being on its face a limited one, includes the freedom to organize, to bargain collectively and as a necessary corollary to strike."

I am asking the Attorney General of this province a very simple, basic question with respect to a fundamental question of constitutional law in this province. I would like a very simple and direct answer from the Attorney General. Does he accept that interpretation of the meaning of the phrase "freedom of association"? If he does not accept it, what is his interpretation of the meaning of "freedom of association" in Ontario in 1983?

Hon. Mr. McMurtry: I took great care in including in my very succinct and clear statement, the statement of the Lord Chancellor. I hoped that the member might have encountered it on the occasional days he attended class in law school. He obviously did not, because he is deliberately attempting to create a great cloud of smoke about this whole issue.

I will just repeat the words I said. One cannot take one judgement and one particular piece of legislation and a judgement in relation to that, and say it applies to all legislation that might deal with freedom of association, collective bargaining and the right to strike. That is why I read the words of Lord Halsbury.

This is an important issue. The member is the one who is trying to obscure the point of the judgement and trying to do it very deliberately. I repeat the words that I said before. "Every judgement must be read as applicable to the particular facts proved, or assumed to be proved, since the generality of the expressions which may be found there are not intended to be expositions of the whole law, but governed and qualified by the particular facts of the case in which the expressions are found."

If that case is not appealed—it may be appealed by some of the other parties who won a battle but lost the war—and if the Divisional Court has had the last word on this particular case with respect to that particular section, then that section will fall.

What the member is trying to suggest is if that section falls, therefore any other legislation dealing with the issue of collective bargaining or the right to strike is somehow caught up in the same question. That is how I interpret his question.

Mr. Rae: All I can say is that one of the things I did as a law student was to attend the Supreme Court of Canada hearings in 1975 when the Attorney General fell flat on his face representing this province—

Mr. Speaker: Question please.

Mr. Rae: —and I have not noticed any improvement in his performance in the eight years since then. I say this with great respect.

AMI (CANADA) LTD.

Mr. Rae: Mr. Speaker, I have a question for the minister's seatmate, the Minister of Intergovernmental Affairs, in his capacity as acting Minister of Health.

It concerns the privatization of health services in Ontario, and in particular the AMI (Canada) Ltd. contract in Hawkesbury, Ontario. I would like to ask the minister if he could comment on the following remarks made by the head of the Toronto General Hospital, who pointed out in an interview to a reporter from Canadian Business in September 1983:

"... 'a nonprofit organization, such as the Toronto General, could have supplied the contract management to Hawkesbury just as effi-

ciently as AMI. The advantage of a nonprofit doing it is that savings created at the hospital would be guaranteed to go back into the health care system, rather than being returned to the investors in a for-profit company.' To the suggestion that the profit motive creates the efficiencies that create the savings, Vickery Stoughton has a one-word reply, 'Baloney.'"

I would like to ask the acting Minister of Health—I know he is being prompted by his seatmate the Treasurer (Mr. Grossman), but if he could just answer the question for a moment on his own—I would like to ask him, quite simply and quite directly, if there was a problem at the Hawkesbury hospital, why was the contract for management given to a for-profit American company rather than to a not-for-profit hospital in Ontario that would have been willing to do it, when the savings would have been kept within the health care system rather than them going to the United States?

Hon. Mr. Wells: Mr. Speaker, the answer to the question is, first, the decision to have AMI run that hospital was made by the hospital board. That is first; remember that. Second, they put out tenders; they put out a call and there were three responses. One was the Ottawa Civic Hospital, the other was AMI, and I cannot recall the third one offhand. The hospital board picked AMI to do the job; remember that now. The hospital board, the local community board of that hospital picked this organization.

One of the reasons they picked it was that the AMI arrangement was to help the funding for the new addition to the Hawkesbury hospital and that new hospital would not have been able to have been funded if it had not been for the arrangement with AMI. I am sure that was one of the further reasons that particular firm was chosen to carry out this particular task.

Mr. Rae: Would the minister care to comment on statements that are made in this same article? I am quoting from this article written by Mr. Daniel Stoffman in Canadian Business of September 1983, "What really won AMI the Hawkesbury contract was the \$6-million loan at prime rate plus half a percentage point that AMI arranged with the Bank of Montreal in consideration for making the bank one of its international bankers."

I would like to ask the minister, did any of the competitors on the nonprofit side have, in any way, shape or form, financial backing from the public sector that in any sense matched these kinds of preferential rates given by the Bank of

Montreal for its own reasons with respect to AMI?

Hon. Mr. Wells: I really do not think that is relevant. The relevant thing here is that a community board decided that this was the organization that could undertake the task of managing the hospital, could get the finances it needed and the new building done. I am not saying that every hospital in this province, or even nearly every hospital, should be run in this way. However, I am saying that this province should not be afraid to try some innovative ways of handling the health care system. Let us give the AMI experiment in Hawkesbury a little further chance. It happens to be succeeding now, so the member is starting to throw mud on it and I do not think that is necessary.

Mr. Boudria: Mr. Speaker, in view of the fact that the hospital board likes the service, that the medical profession, the staff and the patients are all pleased with the service there, and that the leader of the third party equated the qualifications of the administrator to that of a first-year business student, thereby insulting my constituents, I wonder if the minister would instruct them to keep out of Prescott-Russell before they lose the remaining 10 votes they have left?

2:40 p.m.

Hon. Mr. Wells: Mr. Speaker, I have learned one thing in my 20 years in this House and that is I always pay attention to what the local member for any riding says about institutions in his own riding.

Mr. Rae: The Liberal Party has a new version of a prayer. It is, "Give us this day our daily position."

I would like to ask the minister a question with respect to the anti-trust suit against AMI involving the acquisition of a Beverly Hills, California hospital for which AMI paid double what the vendors were willing to accept in order to obtain a monopoly in that city. When I asked a question last year with respect to that conviction of his predecessor by one, his seatmate the Treasurer, the Treasurer replied that it would be inappropriate to comment on it before judgement had been rendered.

Now that judgement has been rendered, would the minister like to comment on that conviction and on the appropriateness of that company operating in Ontario, when there are lots of qualified people in the community of Hawkesbury and in the nonprofit sector right across this province willing to provide an efficient value for

service without seeing the profits simply get siphoned off and go to the United States as is now the position of the Liberal Party of this province?

Hon. Mr. Wells: I think my proper position right here, and I do not have that judgement, is to tell my friend that I will undertake to get that judgement. I will give it to my legal adviser and colleague the Attorney General (Mr. McMurtry) and see what he might have to say about it. Considering the way the member opposite seems to have the other judgement rather mixed up, or perhaps misconstrued, I would like to wait until I have his comments.

Mr. Breithaupt: Mr. Speaker, I have a question for the Provincial Secretary for Resources Development (Mr. Sterling) who just left the chamber, so I will have to stand that down in favour of my colleague.

VISITORS' SALES TAX REBATE

Mr. Eakins: Mr. Speaker, I have a question for the Minister of Tourism and Recreation. With respect to the change in last spring's budget which restricted retail sales tax rebates for tourists only to those purchases of \$100 or more, would the minister inform us as to whether this move to impose a minimum sale level on the purchase is part of an overall plan eventually to phase out the visitors' retail sales tax rebate; and if so, does the minister support such a move?

Hon. Mr. Baetz: Mr. Speaker, as the member for Victoria-Haliburton knows, we will be beginning our estimates tomorrow and I would be very pleased at that time to go fully into that question.

Mr. Eakins: This is the forum for asking questions. We have had a lot of inquiries about this. I would like to further ask the minister, was a poll taken during 1982 on the usefulness or effectiveness of the sales tax rebate and also on who benefited from it the most? If so, could the minister make the results of that poll available to the Legislature? I would also ask the minister why this brochure is never displayed at the government information office on Bay Street, as intended, but hidden instead under the counter as though it was some pornographic material. Why is it not being displayed where it should be.

Hon. Mr. Baetz: There certainly has never been any intent or practice on the part of my ministry to hide or in any way cover up the idea that American tourists coming in here can get a rebate on the sales tax. There has never been

anything; never once has this been brought to my attention. If that is the case, I will certainly correct it. I want to tell the member that in our advertising, in our campaigns and in our marketing material, we are constantly telling our American friends that if they do come here they can get their seven per cent sales tax rebate.

COCHRANE HEALTH COMMITTEE

Mr. Cooke: Mr. Speaker, I have a question for the acting Minister of Health. I wonder if the minister could tell me under what authority the Minister of Natural Resources (Mr. Pope) operates when he fires a subcommittee of the district health council in Cochrane which was planning for a new district hospital and appoints his own committee to plan for that hospital. Under what authority is the Minister of Natural Resources operating and which committee is now legal, the district health committee or the Pope committee?

Hon. Mr. Wells: Mr. Speaker, I am aware of what has happened there. I think there was a long-standing agreement that some kind of joint board would be appointed. I have full confidence that the local member up there has the situation in hand and that the matter will be proceeding.

Mr. Cooke: The minister has not answered my question. There was a committee in place that was authorized, as I understand, by legislation that sets up district health councils and gives that board the authority. I would like to know what authority the Minister of Natural Resources, as the local member for that riding, has to fire an existing committee and appoint his own board when there has been no order in council passed to legalize that committee.

The executive director of the health council does not know which committee is legal, and even the local press is now asking—this happened a month ago—which committee is legal, the Pope committee or the one that was set up by the legislation which set up the district health council.

Hon. Mr. Wells: We are at present in the process of appointing that board. It has not been appointed.

Mr. Cooke: What gives him the right to fire a board?

Hon. Mr. Wells: He has not fired any board or anything. He is working with it to make sure that the proper facilities are provided there. I say again that one thing we do here is work with the local member in his area to make sure that the

problems are taken care of. I am sure he knows more about it than the member does.

HYDRO CORRIDOR

Mr. Nixon: Mr. Speaker, I have a question of the Premier pertaining to the location of a famous power grid coming out of the Bruce Peninsula to service the London area. Now that the Chairman of Management Board (Mr. McCague) has made it clear to his cabinet colleagues and the Premier that he feels insufficient notice was given to the people concerned in this important matter that is concerning many land owners in southwestern Ontario, can the Premier tell the House that he is taking steps to have the joint board hold a rehearing on the proposals from Ontario Hydro?

Hon. Mr. Davis: Mr. Speaker, I would ask the honourable member to allow me to correct on Thursday any errors in information I might repeat to him at the moment because I am going strictly by memory. My recollection is that the combined hearing board made a recommendation with respect to a certain alignment. I think the legislation now provides for a hearing as to the particular location within the general alignment.

I think our Attorney General (Mr. McMurtry) has felt what Hydro's legal people have agreed to is appropriate. Those who felt they did not receive proper notification in the first hearing would have an opportunity—

Mr. McKessock: Which they didn't.

Hon. Mr. Davis: I am just trying to be helpful. If the member wants to interrupt and tell his recollection, I would be delighted to sit down, but I am trying to recall for his colleague what the approach is going to be.

I understand that those who felt they had not had proper notification when the combined hearing board was suggesting—what were there?—six possible routes will have an opportunity to appear at this hearing as it relates to a specific route within the corridor recommended by the hearing board and they will have an opportunity to raise whether or not the hearing board should have selected that route vis-à-vis some other route.

It is not a question of ordering a rehearing *per se*, but it is giving these people an opportunity at the next hearing to present their concerns with respect to the decision made initially. I think that is my best recollection generally of what is being entertained. If there is some variation

from that, I will be delighted to clarify it for the honourable member on Thursday.

Mr. Nixon: Is the Premier not aware that the Chairman of Management Board has submitted new evidence to the chairman of Hydro and also to his cabinet colleagues, according to a story in the *Globe and Mail*, that indicates—and I simply quote from the Chairman of Management Board—as follows: “I am convinced that local residents should be given a full opportunity to persuade the joint board that plan M3 has significant disadvantages in comparison to the other plans previously rejected by the board”?

2:50 p.m.

The Premier must surely be aware that the second set of hearings are simply as to the exact location in the corridor already selected and approved by cabinet. In no way is that going to meet the objection that those people concerned with the power lines are not going to have any input as to whether they should run through their community or not. Would the Premier not agree that only a rehearing on this important matter will provide the sort of solution that will meet the objections expressed by the Chairman of Management Board and many others, including myself?

Hon. Mr. Davis: I think we have to be a bit careful. I do not want to create any expectations with the constituents of some of the member's colleagues and my own as to what one means by a rehearing.

My understanding is that those who felt they had not had proper notice for the initial hearings will be given an opportunity at this hearing to make their objection. I assume they are going to say the initial decision by the hearing board as to one of the five or six routes was in error and that there is a preferable route. So it does not really amount to a rehearing per se, but it is an opportunity for them to state to the board their views as to why the board should have selected some other route.

CURRICULUM GUIDELINES

Mr. Allen: Mr. Speaker, I have a question for the Minister of Education on the subject of the Ontario Schools: Intermediate and Senior Divisions program reforms she has recently announced in their final form. As I look at these, I note the ministry itself has prepared a list in which 18 of the 24 proposed courses will not be ready before the fall of 1984.

Principals planning for calendar deadlines next month do not have courses to enter in their

calendars. Also there is no evidence in the estimates of funding for new texts and learning resources. Furthermore, publishers meeting with the Circular 14 committee to establish publishing deadlines for new materials are aghast at the state of unreadiness of materials for publication. Parents and children do not know anything at this time and will not know until next spring about prerequisite subjects—

Mr. Speaker: Question, please.

Mr. Allen: Why is the minister pushing the boards into this reform when nothing appears to be in readiness for actual staging next fall? She is putting a paper structure of credits in place but no content. Is she seriously interested in reforming the curriculum in the light of today's needs or just making cosmetic changes in time for the next election?

Hon. Miss Stephenson: Mr. Speaker, in response to the final question of the member, I am deadly serious about the reforms in education at the secondary school level. It is essential that we move forward. The advice we had from all the secondary school headmasters was that if the structural arrangements could be clarified for them by the fall of 1983, they were ready to integrate the new program in the fall of 1984. They required the arrangements regarding the organizational patterns only and the basic requirements in order to prepare their staff to move forward.

The regional offices of the Ministry of Education are in the process of arranging intensive workshops with representatives of the educational system throughout the province in order to help them with the development of plans and programs for introduction in 1984.

The member is quite incorrect. Within OSIS there is very clearly the statement that it is the board's decision to determine whether they are going to be ready in 1984 or not. If they feel they are not, they may apply to the minister for permission to delay a further year. The flexibility and the matter of choice, which is an integral part of the re-establishment of secondary education throughout this document, is an integral part of OSIS as well and a part of that proposal for the school boards.

Mr. Allen: Anybody in the field is really unaware that the ministry is coming down pretty hard on implementation in the fall of 1984. I wonder if the minister can ignore the widespread, almost unanimous concern among the teaching profession with respect to the pressure

the new, rigorous, rigid program is going to place upon basic level and general level students.

Given that in recent years much larger percentages of students in that group have persisted to the end of the system or near the end of it, and given that there remains a substantial drop-out rate in the school system, does the minister not think the new program will increase the drop-out rate, increase youth unemployment and add to the numbers of functionally illiterate in this population, who are already 20 per cent of the adult population? For this group, is she choosing the old, failed solutions the education system has long since passed by?

Hon. Miss Stephenson: No, we are not choosing old, failed solutions. What we have done is listen to the concerns of educators at the level from which the honourable member has lately departed, and we have listened very carefully to the concerns they have expressed. We have also listened to the concerns of students, parents and employers, people who are going to be involved in the educational programs, the training and the further life experience of all of these young people. We have provided a means which is anything but rigid and anything but outmoded and does understand and does define the needs of young people in a society which is increasingly complex in terms of their basic educational requirements for future advancement.

I hope the member will look very sympathetically at OSIS and at Renewal of Secondary Education and understand that it is for the benefit of all children, particularly the children who are educated within the general and basic levels of education.

Mr. Mancini: That's not what you said in February 1981.

Hon. Miss Stephenson: That's exactly what I said.

Mr. Bradley: We explored this with the minister last week in estimates.

Mr. Mancini: You said exactly the opposite.

Hon. Miss Stephenson: You're wrong.

Mr. Speaker: Order.

Mr. Bradley: When we explored at some length the issue of the implementation of OSIS in the estimates last week, it was revealed by the minister in answer to some of our questions that it would not be as easy as some would think for boards of education to opt out in this initial year. I do not want to get at that specific question; I want to get at this question because it has arisen out of the OSIS implementation.

Does the minister not recognize now that virtually every school in the province will be forced to go to the semester system in order to

implement OSIS as she has suggested it be implemented, and that the adjustments she has suggested for those schools that do not want to go to semestering are simply not practical?

Hon. Miss Stephenson: For the members of this House, I would like to reiterate that the primary purpose for establishing the secondary education review project in the first place was to deal with our concerns regarding the students educated at the general level and the basic level.

We have been saying that right across the province. Anyone who suggests something different is misinformed.

In response to the question from the member for St. Catharines, there is very real concern there might be pressure to move the entire school system into the semestered mode. I would remind members there is no rigidity in terms of the school day and there is no rigidity in the numbers of hours of educational programs that must be provided. There should be flexibility in those who are concerned about the scheduling within the school system, and that kind of flexibility can ensure the program can be accommodated within a nonsemestered school.

PORT ARTHUR SHIPYARDS

Mr. Speaker: New question, the member for Port Arthur.

Interjection.

Mr. Speaker: Fort William, sorry.

Mr. Bradley: Join us, Mickey.

Mr. Hennessy: It is not an honour.

Mr. Speaker, my question is to the Minister of Labour. Has the minister any further news or information regarding the Port Arthur shipyards' lockout of 65 employees by management? The situation is very serious, with no payment from the union, no unemployment insurance, no welfare and no money coming in for the families of the workers. If the minister has any information or news, I would like him to give it to us.

3 p.m.

Hon. Mr. Ramsay: Mr. Speaker, I am afraid the information I have is the same as I gave yesterday; that is, it takes two parties to mediate. Our director of conciliation and mediation services has been attempting to get the two parties back to the bargaining table but thus far has been unsuccessful. He is optimistic that he will be able to do so in the near future, but at this point he has to have the approval of both parties before he gets them back.

Mr. Hennessy: With all due respect, when is the minister going to have something positive? The people in Thunder Bay cannot wait for management to unlock the doors. I have had a few women calling my offices here and in Thunder Bay in regard to the anxiety they are experiencing. Instead of us just dilly-dallying around, we should get in touch with the management and tell them to get off their backsides and open up the bloody doors.

Mr. Kerrio: That's a good question.

Hon. Mr. Grossman: Best question in weeks.

Mr. Van Horne: A straight question; it deserves a straight answer.

Mr. Speaker: Order.

Hon. Mr. Ramsay: I assure the honourable member I will do everything possible to untangle the deadlock currently in existence.

Perhaps I can take this opportunity to point out with some measure of pride on behalf of the department of conciliation and mediation services that there are probably fewer people on strike or, putting it another way, more people working than there have been for quite some number of years. There are fewer than 2,000 people on strike at present. That is a tribute to the very capable conciliation and mediation officers of our ministry. I hope that those circumstances of having fewer people out on strike will continue.

FREEDOM OF INFORMATION

Mr. Breithaupt: Mr. Speaker, I have a question for the Provincial Secretary for Resources Development, who continues to be responsible for freedom of information and who suddenly this past summer was transformed into rather a zealot in the protection of individual privacy.

He wrote a letter to the *Globe and Mail*, published on August 26, just two months ago, in which he stated that "a small government agency could be created which would have the authority to ensure that personal data was only used in accordance with general principles." He went on further to write, "If we are going to protect the privacy of individuals, we must give them certain rights of access to their records in addition to the ability to correct any false information."

Since these are two of the very principles I enshrined in my own private member's bill, Bill 6, which is on the order paper, and they can easily be put into general legislation, can the minister inform us why he has not yet presented a government bill to the House on freedom of information?

Hon. Mr. Sterling: Mr. Speaker, I think I may have answered this question once before. I want to indicate to the honourable member that the remarks made in my letter to the *Globe and Mail* during the summer related to the privacy aspect of the access to information and privacy act that I have been charged with framing.

I also wish to tell him that just yesterday I met with one of the three commissioners of access and privacy law from Quebec, and last evening I met with the privacy commissioner of Canada to discuss with him some proposals I intend to put forward to my cabinet colleagues in the very near future.

Mr. Breithaupt: Since the minister also wrote in that letter that "a watchdog of our privacy is required and I would hope that we will be able to meet this challenge successfully," and since he has had further meetings now and there is still no legislative action to accompany these very laudable and high-sounding comments, will the minister not agree that there is a grave disappointment among those persons who are interested in this subject that we have not seen legislation? Can the minister give us a commitment to introduce a bill on this subject in this fall session of the House?

Hon. Mr. Sterling: I believe the matter I was referring to in my letter concerned data protection in relation to electronic means of collecting information. As the member may be aware, there is no legislation that I am aware of in any jurisdiction in the world covering this particular area. I indicated this in the speech to businessmen in September, and I have invited various colleagues from across the country to meet with me, in the perhaps not too distant future, in relation to developing privacy law relating to data protection in the electronic area. That was what I was referring to in the article.

I am not able to give a commitment to the House that I could submit legislation during this fall period, because I have not developed that area of the law. The member is mixing that matter with the other initiative I am also undertaking. As I indicated in my answer to his first question, I hope to have a new proposal in front of the cabinet in relation to that matter in the very near future.

ST. MICHAEL'S HOSPITAL CLINIC

Mr. Wildman: Mr. Speaker, I have a question for the Minister of Labour. More than one third, or \$254,438 of the total funding of \$642,967 for the clinic at St. Michael's Hospital, the only occupational health clinic of its kind in the province and indeed the whole country, came

from this ministry. In view of this fact, can the minister explain why the ministry has informed the clinic that it cannot expect continued financial assistance from the provincial government?

Hon. Mr. Ramsay: Mr. Speaker, I do not believe we have indicated that there would not be financing available. What we are trying to indicate is that our resources are not as unlimited as they may have been at one time and that we have to be very cautious about the use of our money.

The St. Michael's Hospital occupational and environmental health clinic is a model establishment. We are very pleased with its operations; there is no criticism at all of that. It is just that we are having very serious problems in trying to meet all the demands upon the mandated responsibilities of our ministry.

Mr. Wildman: The minister is aware that his officials have informed the clinic that it would have to obtain broader financial sponsorship. Can the minister explain to us where the clinic is supposed to get this financial sponsorship and still be able to maintain its independence, especially when one considers that the scientific research done at the clinic often results in verification of workers' compensation claims in the area of occupational health and illness?

How is the clinic to maintain its independence if it has to get financial assistance from places other than the ministry and the education community?

Hon. Mr. Ramsay: We have to make one point abundantly clear. The letter the honourable member refers to did not necessarily mean that government funding would be cut. We simply cautioned the clinic that the funds were not unlimited and that it would be practical for them to look around for other funding.

The member has asked, "Where would that other funding come from?" It might be available through the hospital itself, through the university, through—

Mr. Martel: The Workers' Compensation Board.

Hon. Mr. Ramsay: I am coming to that—through the Workers' Compensation Board and possibly through companies and labour unions. We are just suggesting that the pot is getting a little low and that we have to be very practical as far as long-term plans are concerned.

The important point I have to make today is that my ministry has not said the funding would be cut off or limited. We have just indicated a measure of caution to the clinic as far as

long-term planning is concerned. In the short term, our ministry certainly is committed to looking after the clinic.

3:10 p.m.

Mr. Mancini: Mr. Speaker, the letter sent by the minister certainly is a matter of concern. It indicates that in the very near future this clinic can depend less and less on government funding.

In view of the fact that the minister feels the clinic can obtain funds from other sources, and in view of the fact that occupational health is such an important matter, why does he not take it as one of his responsibilities to head up a group that will work together to ensure the clinic will not be short of funds?

If he feels this group should consist of people from the Workers' Compensation Board, people from industry, people from unions, etc., why does he not assist in putting a group like this together to ensure the clinic will be able to operate in a smooth manner over a long period of time? I believe that is one of his obligations.

Hon. Mr. Ramsay: Mr. Speaker, there have been comments here today relative to a letter from the ministry. I do not believe there has been any letter from the ministry indicating that their funds are going to be curtailed.

As I understand it, in late September of this year Ms. Goldhar, the director of communications for the occupational and environmental health unit at the University of Toronto, wrote to our communications branch to ask whether a speaker could be made available for an immediate visit to the St. Michael's Hospital clinic. The visit was to be a part of university day activities.

It was decided that Dr. Pelmeur should present a short statement on behalf of the ministry. The presentation, which was made on October 5, commented on the work of the clinic and discussed the ministry's participation in this and other endeavours. We have other obligations as well in the occupational health field.

The point was made that lottery grants are only available as seed money and, consequently, that the clinic would be advised to seek broader financial sponsorship. There has been no letter from this ministry, and certainly I have not written any such letter, telling them that their funding would not be readily available.

TRUCKING INDUSTRY AGREEMENTS

Mr. Haggerty: Mr. Speaker, I have a question for the Minister of Transportation and Communications relating to the reciprocal agree-

ments between Ontario and the different American states.

Blue Apple Consulting of Toronto, commissioned by the Ontario Trucking Association, prepared a truckers' report which warns of dislocation under the border policy. It states that US truckers already enjoy an advantage over Ontario carriers in opening the border to full deregulation. As many as 5,000 jobs, \$1 billion in annual revenues and \$350 million in annual government revenue could be at stake.

Is the minister aware that the present government policies in this sensitive area of negotiations, if not reviewed now, may well lead to an additional loss of Canadian jobs in the trucking industry?

As to the present situation regarding Red Star Express Lines of Auburn Inc., New York, it has laid off a number of employees with long years of service by moving its operations to New York state, with a dispatch office in Toronto, phasing out its operations in Fort Erie.

Will the minister review the present government policies so that jobs and revenues are the top priorities for Ontario? Will he refer the matter of deregulation to a standing committee for review?

Hon. Mr. Snow: Mr. Speaker, I had some trouble following the gist of the honourable member's question. The matter of deregulation is not up for consideration as far as I am concerned.

For the past two years there has been a joint committee of the industry and the government. By the industry, I mean the trucking industry, the manufacturing industry, the shipper as well as the hauler. Along with the government, they have spent two years on the public commercial vehicles review committee. They have made their recommendations to me, and those have been tabled. Now an implementation committee has been established to review and plan the implementation of the recommendations, which were fully supported by the trucking industry. But that is not deregulation. It is changes, updating and the creation of a new act to regulate the trucking industry.

I heard the member mention the reciprocity agreements that we have with the United States. That has nothing whatsoever to do with regulation. That is a reciprocity so that the Canadian truckers can drive in the United States with their plates, and the American truckers can drive in Ontario with theirs. We have reciprocity agreements with our sister provinces as well. That has nothing to do with regulation. It does

not give them any operating authority whatsoever. It only gives authority like he has with his automobile to drive into New York state without having to buy a New York plate.

AMI (CANADA) LTD.

Mr. Rae: On a point of order, Mr. Speaker: In the course of asking questions to the Minister of Health, I misstated myself. I said the hospitals in question in the United States, owned by American Medical International Inc., were in Beverly Hills. That is not correct. The headquarters of AMI is in Beverly Hills, but the hospitals in question are in the county and city of San Luis Obispo in California. I just want to clear the record on that.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. McKessock: Mr. Speaker, I have a petition: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This is presented by four pages of names of teachers from the Minto-Clifford Elementary School in Wellington county.

Mr. Samis: Mr. Speaker, I have a petition to the same effect from 250 teachers in Stormont, Dundas and Glengarry, representing Lancaster Township Area Elementary School, Elma Elementary School, Chesterville Elementary School, Dixon's Corners Elementary School, Morrisburg Elementary School, Central Elementary School, Viscount Alexander Elementary School, Maxville Elementary School, Newington Elementary School, Rothwell Elementary School, Osnabruck District High School, East Front Elementary School, Martintown Elementary School, Finch Elementary School, Gladstone Elementary School, Roxmore Elementary School, Lancaster Elementary School, Seaway District High

School, Iroquois Elementary School, Maple Ridge Senior Elementary School, Sydney Street Elementary School, John Sandfield MacDonald Resource Centre, Morewood Elementary School and Sir John Johnson Elementary School.

Mr. Eakins: Mr. Speaker, I have similar petitions to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

These petitions bear the signatures of 165 teachers representing Jersey Elementary School, Keswick Elementary School, Mount Albert Elementary School, Park Avenue Elementary School, Sharon Elementary School and Sutton Elementary School in Durham and York, South River Elementary School in Parry Sound, K. P. Manson Elementary School in Muskoka, Bancroft Elementary School in Hastings-Peterborough, and Coldwater and Medonte East Annex Elementary School in Simcoe East.

Ms. Bryden: Mr. Speaker, I have petitions to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario along the same lines as the petitions presented by the other members.

They are from two schools for the trainable retarded, one in the borough of Scarborough and one in the city of Toronto, and they are signed by 10 teachers from the Beverley School for the Trainable Retarded and two teachers from the Birchmount Centre School for the Trainable Retarded. They ask that "the Ontario Legislature restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

I support these petitions, Mr. Speaker.

Mr. J. A. Reed: Mr. Speaker, I have a large number of petitions of an identical nature. They bear 538 signatures from 27 schools in the riding of Mississauga North. There are 15 signatures from Montclair Senior Elementary School in the city of Oakville, 13 signatures from the Silverthorn Elementary School in the riding of Mississauga East, signatures from Joseph Gibbons Elementary School in the town of Georgetown, Robert Little Public School in the great town of Acton, Limehouse Public School in that great village of Limehouse on the Niagara Escarpment, Stewarttown Senior Public School, and one petition from an individual teacher, Mr. A. J. Dennich, of Milton, Ontario.

3:20 p.m.

Mr. Martel: I would like to present a petition, Mr. Speaker.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The petition is from the great town of Capreol. I support this petition, and I hope all members who are introducing it will do the same.

Mr. Bradley: I have the following petition, Mr. Speaker:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition came from teachers at the following schools: Caistor Central Public School, College Street Public School, Jordan, Memorial Public School, Maywood Public School, Vineland Public School, Lincoln Centennial Public School, Gainsborough Public School, Queen Mary Public School, Westdale Public School, Campden Public School, Ferndale Public School, Lakeview Public School, Prince of Wales Public School, Lingarden School for the Trainable Retarded, Smith Public School, Edith Cavell Public School, Colonel John Butler Public School, Meadowvale Public School, Power Glen Public School, Consolidated Public School, Parliament Oak Public School, Jacob Beam Public School, Victoria Public School, Prince Philip Public School and Central Public School.

They are from residents in the provincial constituencies of Lincoln and Brock.

Mr. Di Santo: Mr. Speaker, I would like to present a petition in a similar vein, signed by 458 teachers of the following schools.

Dickson Hill Public School, O. M. MacKillop Public School, Westminster Public School, Bayview Glen Public School, Stornoway Crescent Public School, Flowervale Public School, Milliken Mills Public School, Willowbrook Public School, Crosby Heights Public School, Royal Orchard Public School, German Mills Public School, Thornhill Public School, Parkview Public School, James Robinson Public School, Franklin Street Public School, William Armstrong Public School, Reesor Park Public School, Unionville Public School, Roy H. Crosby Public School, Roselawn Public School, and Kleinburg Public School.

Mr. Cunningham: Mr. Speaker, I have two identical petitions, one from Wellington Square Public School, which is located in the great riding of Burlington South.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

Although these teachers who teach at this school are constituents of mine, in the continuing absence of the Premier (Mr. Davis), I am very pleased to table a similar petition on behalf of 11 teachers at Fallingdale Junior Public School.

Mr. Grande: Mr. Speaker, I have two petitions. The first one reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition was signed by all of the teachers

from J. R. Wilcox Junior Elementary School in the great riding of Oakwood.

The second petition, which is of the same nature, is signed by all of the teachers of Glenview Senior Public School in the great riding of Eglinton.

Mr. G. I. Miller: Mr. Speaker, I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by five teachers from Lynedoch Public School in Norfolk and 12 teachers from the North Public School of Simcoe.

Mr. Mackenzie: Mr. Speaker, I am pleased to present this petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;"—how prophetic)

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This is signed by 16 teachers of Collegiate Avenue School in the riding of Wentworth.

Mr. Nixon: Mr. Speaker, I have a petition in the same terms, signed by 10 teachers from South Windham Central Public School.

Mr. J. M. Johnson: Mr. Speaker, I beg leave to present several petitions addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

Last week I received a brown envelope containing petitions addressed to myself and the member for Cambridge (Mr. Barlow), and also five petitions addressed to the member for Grey (Mr. McKessock), the member for Halton-Burlington (Mr. J. A. Reed), the member for Kitchener-Wilmot (Mr. Sweeney), the member for Waterloo North (Mr. Epp), and the member for Kitchener (Mr. Breithaupt). I did not feel I had the right to table these petitions so I present

them to the pages and ask them to deliver them to the honourable members on that side of the House.

Having said that, I would like to read the petition.

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

As chairman of the government caucus, and on their behalf, I am tabling the petitions addressed to my Progressive Conservative colleagues.

INTRODUCTION OF BILLS

VITAL STATISTICS AMENDMENT ACT

Mr. Boudria moved, seconded by Mr. G. I. Miller, first reading of Bill 98, An Act to Amend the Vital Statistics Act.

Motion agreed to.

Mr. Boudria: Mr. Speaker, this bill removes all restrictions on the choice of the surname a child is given at birth and eliminates references to birth within or outside of marriage.

3:30 p.m.

CHANGE OF NAME AMENDMENT ACT

Mr. Boudria moved, seconded by Mr. G. I. Miller, first reading of Bill 99, An Act to amend the Change of Name Act.

Motion agreed to.

Mr. Boudria: Mr. Speaker, this bill would clarify the circumstances under which a divorced parent may change the name of children in his or her custody without the ex-spouse's consent, and would enable an unmarried parent to change the surname of the children in his or her custody to his or her own name by a similar procedure.

Mr. Speaker: May we have the permission of the House to revert to motions?

Agreed to.

MOTION

OFF-ROAD VEHICLES ACT

Hon. Mr. Wells moved that Bill 61, An Act to regulate Off-Road Vehicles, be referred back to committee of the whole House for a minor amendment.

Motion agreed to.

ORDERS OF THE DAY

FRONTIER COLLEGE ACT

Mrs. Scrivener moved second reading of Bill Pr2, An Act respecting Frontier College.

Motion agreed to.

Third reading also agreed to on motion.

CANADIAN NATIONAL EXHIBITION ASSOCIATION ACT

Mr. Kells moved second reading of Bill Pr17, An Act respecting the Canadian National Exhibition Association.

Motion agreed to.

Third reading also agreed to on motion.

FAMILY DAY CARE SERVICES ACT

Mrs. Scrivener moved second reading of Bill Pr19, An Act respecting Family Day Care Services.

Motion agreed to.

Third reading also agreed to on motion.

INSTITUTE FOR CHRISTIAN STUDIES ACT

Mr. Watson moved second reading of Bill Pr21, An Act respecting the Institute for Christian Studies.

Motion agreed to.

Third reading also agreed to on motion.

BROCKVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION/YOUNG WOMEN'S CHRISTIAN ASSOCIATION ACT

Mr. Runciman moved second reading of Bill Pr32, An Act respecting the Brockville Young Men's Christian Association/Young Women's Christian Association.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF TORONTO ACT

Mr. Renwick: In the absence of Mr. Shymko, I move second reading of Bill Pr36—

Mr. Speaker: Order. The member for St. George is rising on a point of order.

Hon. Ms. Fish: Mr. Speaker, on a point of order: As provided for under standing order 22, I wish to declare a possible conflict of interest in this matter and advise that I will now remove myself from the chamber.

Mr. Speaker: The member for St. George (Ms. Fish) has declared a conflict of interest and is vacating her seat.

The member for Scarborough-Ellesmere.

Mr. Robinson: Mr. Speaker, I am not sure what my friend the member for Riverdale (Mr. Renwick) is doing with this bill, but in the absence of Mr. Shymko, if that is your wish—

Mr. Cassidy: Mr. Speaker, it seems to me the motion can be moved by my friend the member for Riverdale. He was interrupted by a point of order from the member for St. George, but I would have thought the matter should revert to the member from this side.

Mr. Speaker: As a matter of fact, as the member noticed, I did not recognize either of the two who rose. I recognized Ms. Fish. I waited for what I thought was a reasonable length of time and the member for Riverdale did not rise again so I recognized the member for Scarborough-Ellesmere.

Mr. Cassidy: Mr. Speaker, on a point of order: Before my friend the member for Riverdale goes too far with this, I did not hear you interfere with him at all when he was moving the motion. Are we to assume now that no motion was moved unless you have decided after the fact that it was appropriate or not?

Mr. Speaker: I have not made any such decision. I told the member how I made my decision.

Mr. Cassidy: Have you no sense—

Mr. Speaker: The member is arguing with me and that is not provided for.

Mr. Cassidy: Mr. Speaker, on the point of order, have you no sense of the frustration on this side when we have a chance to move a bill and actually see it enacted, and you interfere with that right which should belong to all members who before you should be treated as equals, and not some of the blue persuasion being more equal than others?

Mr. Speaker: Having been through the mill myself, as the member well knows, I can sense or appreciate—

Mr. Cassidy: Not the same mill as me, Mr. Speaker.

Mr. Speaker: Perhaps not, but in actual fact the member for Scarborough-Ellesmere did rise and I did recognize him. He is about to place the motion.

Mr. Stokes: I wonder how Hansard is going to report what went on.

Mr. Speaker: I am not too sure, but it should be interesting. Let it be noted that the member for Lake Nipigon has made an interesting observation.

Mr. Cassidy: Mr. Speaker, on the point of order, is there not a danger that this motion may be improper? The city may not get its bill because of the fact that two or three members wound up moving second reading. Should we not revert to where we were a minute ago before the member for St. George rose?

Mr. Speaker: No, two or three members have not made the motion and I want to make that exceptionally clear. I have recognized the member for Scarborough-Ellesmere.

Mr. Robinson moved, on behalf of Mr. Shymko, second reading of Bill Pr36, An Act respecting the City of Toronto.

Mr. Speaker: Is it the pleasure of the House that the motion carry?

Mr. Renwick: Mr. Speaker—

Mr. Speaker: The member for Riverdale. I presume you are going to debate this.

3:40 p.m.

Mr. Renwick: No, no, yes, sir.

Mr. Speaker, out of courtesy to the member for St. George (Ms. Fish), and as she did stand in her place to indicate the conflict of interest, the record should show this bill authorizes the council of the corporation of the city of Toronto to reimburse a former alderman, now the member for St. George, and another former alderman, Allan Sparrow, for legal costs which they incurred when a libel and slander action was brought against them during the course of their tenure in office and while they were acting in that capacity. The legal action against them was dismissed with costs. The record should simply show the interest which the member for St. George declared.

Mr. Speaker: The member for Riverdale, as always, has explained the point very clearly.

Motion agreed to.

Third reading also agreed to on motion.

NEW HORIZONS DAY CENTRE INCORPORATED ACT

Mr. Cousens moved second reading of Pr38, An Act respecting New Horizons Day Centre Incorporated.

Motion agreed to.

Third reading also agreed to on motion.

EMPLOYMENT STANDARDS AMENDMENT ACT

Hon. Mr. Ramsay moved second reading of Bill 68, An Act to amend the Employment Standards Act.

Hon. Mr. Ramsay: Mr. Speaker, as honourable members know, the purpose of the bill before us is to prohibit the use of lie detectors in the area of employment. While the use of lie detectors is not as widespread in Ontario as it is in the United States, there is evidence to suggest their use is increasing.

Let me give some examples of the types of situation which have come to the attention of my ministry with respect to lie detectors. All applicants for employment at a chain of dry cleaning stores are being required to submit to a lie detector test before being considered for employment. All of a microcomputer company's sales staff are being required to take routine lie detector tests. All employees of a restaurant are being required to take a lie detector test and those who refuse or fail the test are being discharged without consideration of other evidence.

From these examples, it may be observed that lie detector tests are being used in three ways in the employment context.

First, lie detectors are used to screen applicants for employment. The job applicant may be required to submit to a lie detector test and may be denied employment on the basis of the test results alone. The applicant may also be refused employment because he or she refused to take such a test.

Second, they are used in some establishments, such as certain convenience stores, to test employees at regular and frequent intervals. Discipline, including discharge, may result from a refusal to take a lie detector test or from inappropriate test results.

Third, they are used to test employees when a particular event, such as a theft, has occurred. Again, discharge may result from a refusal to take the test or from inappropriate test results.

As a matter of principle, in the opinion of the government, lie detector tests in the spirit of

employment constitute an unwarranted invasion of privacy. The nature of the employment relationship puts the employee or prospective employee in a position where his or her employment is dependent upon submitting to and passing a lie detector test. In these circumstances it is manifest that the employee does not give a free and genuine consent. Moreover, a refusal to submit to the test is taken in the typical case to be sufficient in itself to trigger a decision as to whether to hire or fire an individual.

Similarly, unsatisfactory test results are taken on their own as sufficient evidence on which to base a decision to hire or fire. In either situation the employee or prospective employee is without recourse. This feature distinguishes the use of lie detectors in the employment context from their use during a police investigation, a distinction reflected in the bill.

Lie detector tests are not used by police forces in Ontario as a random screening device. Instead, they are one part of an extensive investigation focusing on an individual or, at most, on a very small group of individuals. The test results do not lead to the imposition of a sanction but are only one of the factors taken into account in deciding whether to lay charges in a particular situation. The ultimate decision on such charges is made by a court which does not have access to the test results and, thus, does not take them into account.

I note, as well, that Canadian judges have expressed great reluctance to admit lie detector test results as evidence in our courts. I might add that concerns have also been expressed in this House and elsewhere about the intrusive nature of the questions that make up the test. In my view, to require an individual to submit to a test which consists in part of intrusive questions about personal habits, alcohol or drug use and about one's family and friends, is unacceptable in the employment context.

These views are reinforced by a consideration of the operation of lie detector tests and their rate of accuracy and reliability. Of course, the term "lie detector" is a popular rather than scientific one since no machine literally detects lies. The polygraph measures involuntary responses and psychological stress evaluators measure changes in stress in the human voice. Both require interpretation by the operator of the machine.

The polygraph is generally held to be the most accurate lie detector. However, from the available information it appears that test results have a probable accuracy range of about 70 to

90 per cent. Less accurate lie detectors have a likely accuracy range of 50 to 90 per cent with the higher end of the range not commonly attained.

To my knowledge, there is no reliable data available on the accuracy of the polygraph for pre-employment screening or periodic employment tests, although the general nature of such tests would lead to the conclusion that they are less accurate than tests which arise from the occurrence of a particular event, such as a theft.

To illustrate the consequences of inaccuracy, let us assume that a company has 1,000 employees of whom 50 have committed some pilferage. Let us assume further that the employer decided to administer lie detector tests in an attempt to identify and then discharge those he believed to be guilty. If testing is 90 per cent accurate, 45 of the guilty employees will be discharged, that is, 90 per cent of the 50 guilty employees. But an additional 95 innocent employees will also be discharged, 10 per cent of the 950 innocent employees. Two thirds of the 140 who lose their jobs as a result of the testing will be innocent. If one assumes a still higher rate of accuracy, 95 per cent, half of those fired would be innocent.

In conclusion, I would like to remind honourable members that the use of lie detectors was reviewed extensively by the Royal Commission into Metropolitan Toronto Police Practices. The commissioner, Mr. Justice Morand, urged the Legislature to take action to deal with the use of lie detectors in the employment context. Since then several of my colleagues, including the Attorney General (Mr. McMurtry), have expressed their disapproval of such tests, as have certain members opposite.

3:50 p.m.

The use of lie detectors in the work place is unacceptable to the government. They constitute an unwarranted invasion of privacy. They are of questionable accuracy and reliability. They engender a sense of fear in the work place that is destructive to good employer-employee relations. In prohibiting their use in employment, Bill 68 is a piece of progressive legislation.

In the United States, where the use of lie detectors is more widespread than in Ontario, at least 20 states have enacted legislation containing some form of prohibition of compulsory lie detector tests as a condition of initial or continued employment. The passage of this bill will make Ontario the first Canadian jurisdiction to provide particular statutory protection against lie detector testing and will enable us to avoid

the problems that have been experienced in other jurisdictions.

Complaints of violations of these provisions will be dealt with by the employment standards branch. Employment standards officers are given the power to make appropriate remedial orders, including the reinstatement of the employee and the payment of compensation up to \$4,000.

I am pleased to note that both parties opposite support the bill in principle and I look forward to hearing the comments of other members of the House.

Mr. Mancini: Mr. Speaker, I rise to join the minister in support of this legislation. As he has already indicated, the bill seems to have general approval in principle throughout the Legislature.

I have done some reading on this matter of lie detectors to apprise myself of the situation that is going on in the industry, how these lie detectors are being used and for what purpose they are being used. I understand that at the present time in some work places all types of closed-circuit cameras, mirrors and all kinds of gadgets of that nature are being used. Some people would use the argument that lie detectors would be used in place of these other so-called snooping devices.

That argument in itself breaks down when one looks at the accuracy figures we are given, not only by the people in the industry who use lie detectors and tell us they have a 92 per cent accuracy range, but by others who are not in the industry who tell us the accuracy range is as low as 70 per cent. Given that situation on its own, without considering any other matter in relation to lie detectors, it would suffice for all of us in the Legislature to have serious doubts and want to make it a tool that cannot be used. The minister in his remarks clearly gave us a scenario whereby many innocent people could be fired. That in itself is enough to prohibit the use of lie detectors.

The other matters which cause us concern and which should be discussed even if only briefly are, first, individual privacy and, second, the ability to have a work place which can be termed decent.

I am not sure how other members feel about it, but the use of lie detectors would have—I think the word is chilling—a chilling effect on the work place as their use does in every other location where they are being used. To think that one can be subjected to a lie detector test whenever an employer feels the need for one, or whenever a problem may arise, and to know you

might be one of the innocent people fired, truly these are chilling feelings.

Over the past many years all of us have endeavoured to try to make the work place as decent and as humane as possible. Lie detectors, in my view, from all the information I have available and from the representations I have received, do not go forward in any way to make the work place a better place to work or a more humane place.

I could say a lot of strong things against lie detectors, but the information is available; the information is there. It appears we have agreement in principle on the use of lie detectors. I do not believe it would serve any purpose at present to bash the people who have used lie detectors or to bash people in the industry who are agreed on the principle of the bill, who are agreed on the need to pass the bill.

With those few comments, Mr. Speaker, I hope I have been able to state the party position. We support the general principle of this bill.

Mr. Mackenzie: Mr. Speaker, my party will obviously support the bill to ban the use of the polygraph machine. I noted with some interest that one of the examples of concerns that have been raised with the ministry by the minister is a laundromat operation. I suspect it was the Coinomatic operation that my colleague raised in this House last June when he pointed out the use of a lie detector to intimidate the employees in that particular operation.

I would also point out that we have raised this issue time and again, and also the issue of cameras, the kind of surveillance that goes on with workers, and the issue of improper questions asked in employment applications. It seems to me there are a number of areas a bill like this should be covering, not just the polygraph.

I am sorry if my feelings in this matter are a little strong for the Minister of Labour (Mr. Ramsay). I do not think there is one heck of a lot of credit coming to this government. I say that for this reason. We get a heart-wringing presentation about the effect on workers, about individuals' rights and civil liberties. We get this bill about the use of this kind of surveillance and how it should be done away with. We take one step forward to deal with one small area, the use of the polygraph.

At the same time, this government is kicking the living bejasus out of workers by cancelling contracts, denying them their rights, putting them under restraint and taking away very basic rights of collective bargaining. It seems to me

we are going a mile backwards at the same time as we go a couple of inches forward.

I am sure nobody could oppose the bill. It should have been in a long time ago. Not only is it a violation of individual rights, but as has been pointed out by both the minister and the previous speaker, it is a machine that is not very accurate or effective. There are ways with certain drugs that one can completely get around it.

It is legislation dealing with interference in workers' rights that should have been done away with in this province a long time ago. But it pales in comparison to the destruction of workers' rights that we have seen within the last year in Ontario. Obviously, we will support this bill, but it is not giving us one heck of a lot in return for the damage that is being done.

Mr. Wrye: Mr. Speaker, I want to make a few remarks on this legislation. I want to start by congratulating this minister for what I think is a decent piece of legislation and a progressive change in the labour relations of this province. It is a change that is not going to be without some opposition from the business community. I regret that almost as much as I regret the fact that some members of the business community have chosen to use lie detectors in the first instance. I am very pleased to see that we are going to be putting an end to that kind of terrible invasion of the privacy of individual working men and women who wish simply to be employed in this province.

4 p.m.

The point should be made at the outset that, as the minister and all of us are well aware, we have had about 500,000 people out of work in Ontario over the past year or so. Today we have some 400,000 unemployed, if my memory serves me correctly. If an individual is brought before a company that uses a lie detector and is asked to take a lie detector test, faced with the fact that on the one hand he may object to it but on the other hand he has a wife and children and he needs to put food on the table, I cannot imagine that worker saying, "I will not take the test."

What a terrible dilemma that must be. There is no doubt in my mind, and I think this is generally believed and accepted by all parties in this Legislature, that these tests are a terrible intrusion. Licensed or unlicensed, and they certainly are not licensed today, these tests are a terrible intrusion upon the privacy of the individuals in this province.

In my previous incarnation, I was a journalist.

When I went down to my previous place of employment in Windsor, that operation had been owned, until a few months before I was employed, by RKO General, which is a US broadcasting giant. I had my pre-employment interview. At the end, the individual who was interviewing me said: "Here is the application form. Fill it out. I think you are going to have the job."

I filled out the pre-employment application form, but when I got down to the bottom line, it said, "I am not now, nor have I ever been, a member of the Communist Party or any of its affiliates," etc. I said, "I am not going to sign that." He said, "Well, you have to sign it." I told him that if I had to sign it, then maybe I did not really want the job, because I had another job in Toronto.

However, I can imagine myself in that same situation with a lie detector, with a certain firm of cleaning companies, which is present throughout Ontario and right now uses lie detectors, not only for pre-employment but also for casual checking as well as for incident-related checking. I do not believe for one minute that is acceptable in this day and age.

I think the minister has alluded to a number of the problems. First of all, there is the impropriety of the questions. Many of these unlicensed, so-called lie detector firms have attempted to use lie detectors ethically, if I can use that word, but others have just gone holus-bolus.

For example, I am aware that in a number of firms lie detectors are not used for pre-employment screening only. They are not just used when there has been an incident, a shortage of cash or some other incident. They are used, rather, on a six-month, 12-month or two-year basis to simply make sure the employee has remained honest or for whatever reason.

My colleague the member for Essex South (Mr. Mancini) made a very important point in commenting that even those who are expert in the field, and who would have us retain this method of snooping, say the accuracy level is no more than 90 or 92 per cent. Indeed, as he has pointed out, some of the critics of polygraphs say the accuracy level may be 75 per cent or lower. That means, as the minister gave us some examples, that for every 10 dismissals, one will surely be for the wrong reason.

I can appreciate that my friend the member for Hamilton East (Mr. Mackenzie) feels very strongly about one step forward and a number of steps backward. I can appreciate his position on it. I may not entirely agree with him, but I do

appreciate his position. However, I would not want his views to represent those of all of us, that this is a fairly major step forward for this province.

I am aware that while the minister points out that some 20 states in the union ban either outright or partially the use of polygraphs and lie detectors, there are some 36 that allow all or part in terms of lie detector testing. Indeed, in the United States the direction is the opposite from that which we are taking in Ontario.

For good and harmonious labour relations in this province and in each and every work place in this province—not in the ones that use it and not in the ones that do not, but in each and every work place in the province—I think it is very important that this aspect be brought to a halt.

The supporters of the system have suggested it is an excellent way of checking out prospective employees. Over my lifetime I have been a prospective employee, and I have been an employer. As an employer, I found that when I had an opening and a number of people applying for that opening, the best way of checking was to get on the phone to the references, to talk to people from the industry and from the applicants' personal lives and to discuss with them the qualities the applicants could bring to the job I was offering.

I do not think the polygraph is going to do that. I do not care whether one is talking about a professional individual in the industry I came from, or about somebody who is going to work as a clerk in a store. I think it is important that an individual put forward reasonable information, references and background, understanding of course that it may be checked out, and that the employment of an individual be done on that basis.

I join with my colleague the member for Essex South and my friends from the other two parties in saying I will be pleased to give this bill my support on second reading.

Mr. Renwick: Mr. Speaker, as usual the minister brings in a bill that causes me a considerable degree of concern, but on balance I have to support the bill.

I have serious reservations about the section of the bill which provides that, "Nothing in this part shall apply so as to prevent a person from consenting to take and taking a lie detector test administered on behalf of a police force in Ontario or by a member of a police force in Ontario in the course of the investigation of an offence."

I have no specific knowledge of the extent

and degree to which any police force uses the technique of a so-called lie detector test for the purpose of investigating crime, but I say to the minister that I cannot understand how a bill such as this would get through cabinet when it has that kind of exception in it. I would have assumed that the Attorney General (Mr. McMurtry) or the Solicitor General (Mr. G. W. Taylor), who must have had something to do with carving out of that exception which appears in the bill, would have been very clearly aware of the Constitution of the country.

When I first heard the statement of the Minister of Labour when he introduced this bill, I thought he was just getting one jump ahead of a challenge, if anybody had wanted to, of the constitutionality of requiring anyone to take a lie detection test of any kind. In my view, humble as it may be, the provisions of the Charter of Rights, which are part of the Constitution of the country, specifically provide that, "Everyone has the right to life, liberty and security of the person"—I underline "security of the person," and if I were writing it for the purposes of this debate I would put it in italics—"and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

The document I happen to have before me also has a commentary with respect to that right: "The rights outlined in these sections spell out the basic legal protection that will safeguard us in our dealings with the state and its machinery of justice. They are designed to protect the individual and to ensure simple fairness should he or she be subjected to legal proceedings, particularly criminal cases."

4:10 p.m.

These rights are an expansion of those included in the Canadian Bill of Rights in 1960, and most of them already exist in Canada by precedent and practice or ordinary statute law. Enshrining them in the Constitution will assure Canadians that they will not be able to be taken away from us easily by the state or its law enforcement agencies.

Specifically, we are guaranteeing that the right to life, liberty and security of the individual will not be able to be taken away from us by the authorities of the state except by laws and procedures that are lawful and fair.

By including this clause, we give some credence or countenance to the view that the practice of the police in Ontario, to the extent they are using lie detection methods in the investigation of crime, is in accordance with the

principles of our society and that it is in some way or other consistent with and not in breach of the Charter of Rights and Freedoms.

I do not happen to care particularly whether the machines are expert, refined, sophisticated or competent, but it is an intrusion on the security of the person for the police to use lie detection methods of the kind that will be prohibited by this bill in the investigation of offences.

It will be pointed out to me that the exception provides for a person consenting to take and taking a lie detector test administered on behalf of the police force in Ontario. That makes a caricature of the word "consent," because everyone knows if one is being investigated by the police for a crime that there is no way one can give or be said to give in any real sense a voluntary, free-will consent to taking such a test.

I simply say to the Minister of Labour that we support the bill. Certainly we will support the bill. But the exception of this particular provision in the bill is extremely offensive to me. For that reason, I am pleased that the Solicitor General inadvertently happens to be in the assembly at the present time, because I want to draw to his attention that I hope at some point the practice of the police will be subject to scrutiny by the courts on the question of whether it is an infringement of the right of a person to the security of his person. To me there is nothing more intrusive in our society on the security of the person than the intrusion of so-called pseudo-scientific psychological testing operations.

For those reasons, I wanted to comment on this bill. I do not happen to think the exception the government has spelled out in the bill is worth the paper it is written on, and it is certainly not worth my time to stand in committee of the whole House and move its deletion, but I did want to express those views.

I say to the Solicitor General that if he had any sense of the Constitution of the country, he would lean over and say to his colleague the Minister of Labour: "Put it into committee of the whole House. Delete that particular section of the bill." However, I know that is not the way the government operates when it has before it a matter affecting the individual liberty of the citizen; it is not a matter of major concern to this government.

Hon. Mr. Ramsay: Mr. Speaker, I simply

want to thank the honourable members opposite for their comments on this bill.

Motion agreed to.

Bill ordered for standing committee on administration of justice.

REGIONAL AND METROPOLITAN MUNICIPALITIES AMENDMENT ACT (concluded)

Resuming the adjourned debate on the motion for second reading of Bill 86, An Act to amend certain Acts respecting Regional and Metropolitan Municipalities.

Mr. Swart: Mr. Speaker, in the few moments I had available to me last Tuesday night before adjournment, I was making some comments about the history of police authorities in this province, how they had evolved, and particularly the evolution within my time, which of course goes back a little way, from small forces operating directly under the jurisdiction of municipal councils to the large, non-community-based forces and the police commissions we have today throughout most of the province.

Put another way, I guess that evolution or transition was from poorly trained and small forces directly under the influence of council to the well-trained officers in large forces removed from all the political pressures and accountability.

I do not think anybody wants to return to the old council-police relationship. In many ways it was a more corrupt and less accurate administration of the law and policing than we have at present. Anyone who has travelled in the United States will know how corrupt and deviant the police are in the administration of the law in many places there where they are directly under the administration of the council.

The point I was leading up to and wanted to make was that we have to find the balance between that accountability and sensitivity to the public and, on the other hand, the size of the police force, which ought to be efficient, and the division of the authority over the police from purely political authority.

Perhaps it is true to say that the pendulum has swung too far in some respects. This bill, as my colleague the member for Riverdale (Mr. Renwick) has already mentioned, makes a move in the right direction. It is no longer mandatory to have a judge on the commission, and we support that.

I have to say immediately that in some respects it is a mixed blessing, and I say that as a person who sat on a police commission for a

number of years. When we have a judge on a police commission, we have at least one person who is very knowledgeable about the laws of the province and the laws of the nation and who is very competent in policing matters. Without a judge, we will lose some of that expertise and some of that knowledge.

With a judge on a police commission, we also have a person who is more independent from partisan politics than the government appointees to the commission, who invariably are prominent people in the Conservative Party. From the composition of many police commissions, I would say that is the basic criterion for their appointment, not their knowledge or concern about the administration of justice.

4:20 p.m.

On the other hand, one finds that when there are judges on a police commission they tend to dominate that police commission. Many other people on the commission think they do not have the expertise that the judge has and therefore he dominates the commission. I suggest that is partly because judges are used to being within an authoritarian context and therefore to some extent they use that in the operation of a police commission. That is the disadvantage to having judges on it.

Second, generally speaking I do not think judges are terribly sensitive to the public. They are not politically sensitive to anything like the degree that elected politicians are.

It is also true that judges sitting on a commission have some conflict of interest. I think that is obvious. They not only are in a sense directing the police, making decisions about the administration of the police force, but then when they sit in court those same policemen are in front of them giving evidence. They may be negotiating on one hand with members of the police commission and there may be some very strong feelings expressed there, and then the same day those same policemen may be in court in front of them again. So there is some inevitable conflict of interest.

Also, it means the use of time of judges whose time is valuable and who are frequently needed elsewhere.

On balance, we in this party think it is better to exclude the judges from police commissions. If that is going to be done, then it should say so in the bill and it should be uniform across the province. The purpose of one of the amendments my colleague the member for Riverdale will be moving will be to bring that about.

I want to say the move proposed in this bill—the option to eliminate judges from police commissions—is not going to resolve the problems that have surfaced in the police commissions. Police forces are too far removed from the public and insensitive to the public.

This is partly—there is no question about it—due to this evolution to the much larger forces, the regional police forces we now have across the province. Perhaps apart from the criminals and other people within those municipalities, no one knows the policemen in their area.

They are removed from that personal contact, from being on your street, from the same policemen being in your town and getting to know them and respect them and them getting to know you and perhaps in some instances having respect for you. So the larger forces themselves tend to remove the accountability to the public and the sensitivity of the public.

But I suggest it is more of a problem because the publicly elected people do not have an adequate voice on the commissions. This is why we in this party are moving amendments to change these bills to provide that there will be a majority of elected people administering the police forces within at least the regional government of this province.

I want to point out to this House some of the problems that exist, some of the arrogance exhibited by police commissions and by police chiefs because they are that far removed from the public.

In our area in the Niagara Peninsula, we had a police chief who last June bought a new \$16,649 car for himself out of police commission funds. No one was aware of this until a member of the regional council, who had been opposing the purchase of an extremely expensive car for the engineer, found out that an even more expensive car had been purchased by the police chief for his own use. He was particularly concerned—I quote from a newspaper article—about the purchase of the chief's car because it did not go to tender and it was not processed through a regular police commission meeting.

"The three provincially appointed members and the two elected regional councillors, Mayor William Thomson of Niagara Falls and Bill Dickson of St. Catharines, were polled by telephone about the purchase and given few details about the car," Mr. Konkle said. "They were told the price was \$10,600, omitting the value of the trade-in, and that it was a

demonstrator.

"Mr. Dickson said yesterday that he was away on vacation when the board members were polled and he had asked the administrator, Larry Quattrini, a member of the police commission, for a full report on the matter."

I quote him and want to point out that Mr. Dickson is an elected member of the regional council and therefore feels much more accountable to the public. Mr. Dickson said, "I do not think we should squander the taxpayers' money to have a public official driving a luxury car, especially in these times of restraint, with 10.6 per cent unemployment in the area and inflation hitting 11 per cent."

What was the reaction of the chief of police to this? He said: "The alderman can criticize if he wants to, but he does not run the police force; my board does, and this was an autonomous decision of the board." He did not see anything wrong with driving a luxury, \$16,649 car despite hard economic times. "I like to think it is one of the few privileges my position should enjoy, and I think I am worth it."

That was the answer of the chief of police to criticism by elected people about buying this car without tendering and, apparently, according to regional councillor Konkle, without giving the full information to the police commission. It was not processed through the police commission.

That sort of thing would not be so likely to happen if one had the majority of the police commission being elected people. Can anybody in this House picture a municipal council permitting the clerk, for instance, to get away with those kinds of actions, let alone those kinds of methods and comments? Of course we cannot. It is because that police commission is too far removed from the public.

To further show this insensitivity of the police commission and the chief of police and put in perspective the public relations stupidity, or whatever, of the Niagara Regional Police Commission, I want to recount briefly the case of Laurianne Robert, a businesswoman in St. Catharines, which I raised with the Solicitor General (Mr. G. W. Taylor) yesterday in the House.

This was a businesswoman, Mrs. Laurianne Robert, who prior to Christmas 1981 had no police record and had never been accused by the police or had any charges laid against her. Then on Christmas Eve of 1981, because the lights of a police car were trained for a long period of time directly in the front windows of her establishment, she went out to ask the police

to please turn off their lights. I do not know what happened. One can hear two sides of the story.

4:30 p.m.

The result was that she ended up in the cruiser and was taken to the police garage where she was interrogated. When she was released, she was taken to the hospital with lacerations and bruises, released from the hospital the next morning, went to her doctor and was under doctor's treatment for quite a period of time.

She was charged with disturbing the peace and assaulting an officer and had two charges laid against her. It is a bit bizarre—because she is a woman in her forties and not a terribly large woman, who had real physical damage to herself and there was none to the police—that she would be charged with those two charges, but she was.

During the weeks and months subsequent to that and when she threatened to lay assault charges against the police, the police offered tradeoffs. They said, "We will drop the charges against you if you do not lay any charges against us." The Solicitor General can verify all of what I am saying here this afternoon. She said, "I am innocent and I will not drop those charges."

Ultimately, the day she was to appear in court, the charge of assault against her was dropped. They kept the charge of disturbing the peace and she went to court and was acquitted of that charge. Then this was made an issue in the local area. There was an internal investigation by the police force to determine whether the police had used excessive force and, in fact, violence.

The report made by the chief was that he found no fault with the officer. But the strange part about this is she was never interviewed to get her side of the story. She had put her complaint in writing, but he did not even bother interviewing her to hear her side of the story, and the policeman was exonerated.

Then, over a year ago, she requested a hearing before the police commission of the area. I would like to read into the record, because this puts things pretty well in perspective, an editorial in the St. Catharines Standard, which anybody in the area will know has quite a tradition of Conservative support. The lead editorial of Friday, October 7, 1983, is headed, "Niagara Police Commission Confirms its Incompetence."

"The system under which the Niagara Regional Police Commission deals with citizens' complaints against the police has variously been

described as 'a joke' and 'a farce.' Earlier this week, with its ruling in the case of the Mrs. Laurianne Robert, the commission itself has confirmed the accuracy of these descriptions.

"For almost a year, the St. Catharines woman has been trying to appear before the police commission to voice her complaint about police mistreatment. And throughout this time, the commission—using a variety of excuses, some of them contradictory—has refused to hear her complaint.

"There is a mass of evidence that suggests the Robert case deserves, at the very least, a hearing before the police commission. Mrs. Robert suffered extensive injuries during her arrest on a charge of which she was subsequently acquitted. A transcript of her trial reveals a number of discrepancies between her testimony and that of the arresting officer, as well as discrepancies between the statements given the court by the arresting officer and his partner.

"The evidence regarding Mrs. Robert's mistreatment at the hands of the police as well as the conflicting statements given in court appear to have left the police commission unconcerned. In their latest ruling—reached at a closed-door meeting—the commissioners (all five of them) decided to choose the narrowest interpretation possible in dealing with Mrs. Robert's complaint.

"They said that the only question to be determined was whether or not Mrs. Robert had been assaulted by the police during her arrest. And that question, the commissioners agreed, had already been decided by 'an internal investigation' that indicated the complainant had no cause against the police.

"In short, the police have investigated themselves, have found themselves innocent of any wrongdoing and thus see no merit in listening to a citizen whose complaint is obviously unjustified." I might add, in my own words, that is in their view.

"One cannot help but ask oneself why the five commissioners—a judge, two provincial government appointees and two regional councillors—would play such a leading part in this travesty of justice. It certainly cannot be put down to coincidence or temporary pressure of business. The commission has a consistent and unenviable record of stonewalling citizens' complaints involving members of the police force.

"There is obviously more to it than readily meets the eye; all of which makes it clear that the commission has amply demonstrated its incompetence in acting as an impartial arbitra

tor in matters affecting the department it claims to supervise."

I suggest that is a pretty damning editorial. I suggest that it puts the whole situation in perspective with regard to the police commission of the Niagara region.

I could read a great deal more into the record—perhaps I should—about the procedures, about the letters that were written to her saying that they would not hear her until she gave them, in writing, a statement that she would not proceed with police charges and would not proceed with charges of assault or any other charges against the police.

The commission says—and I talked to one of the commissioners—"Our bylaws prohibit us hearing a complaint unless that complainant is not going to proceed with a criminal action against the police."

I have seen that the St. Catharines Standard has read the rule about complaints. It says: "We cannot find any such interpretation. But the significant thing is that if they do have such things in their bylaws, they have the power to change them."

It was a year from the time that she asked for her complaint to be heard by the commission before they finally made this asinine ruling. They could have changed that bylaw a half-dozen times, but they did not do it. I say they did not do it because they are not really accountable to the public.

Do members know that there is no phone number listed for the Niagara Regional Police Commission? The address on their letterhead is only a box number. That does not sound as though they really want to be very close to the public, does it?

I think perhaps I should read another comment by the St. Catharines Standard, which is dated June 2, 1983. It is headed, "Public Scrutiny" and this goes back to the decision by the commission that it would not hear Mrs. Robert because the internal investigations had proved she had no foundation for her charges. This editorial reads:

"After a 'searching and detailed inquiry'—that is what the police called their own internal investigation—"during which they talked to no one but their own senior officers and themselves, Niagara regional police commissioners announced this week that all is well with the police and there is no need for a public inquiry into civil rights abuses and citizen harassment by police officers.

"The so-called searching and detailed inquiry

was a total sham. The commission did not search a thing and it glossed over the details. It called in the chief, the heads of the region's three police divisions and the president of the police association and by its own account it was impressed by their sincerity in unanimously disclaiming that there was reason for concern.

"With that 'searching and detailed inquiry' the board declared itself satisfied. The board claimed there was really nothing to investigate. It referred to allegations, 'anonymous complaints, innuendoes,' and used irrelevant statistics in an attempt to prove that all was well.

4:40 p.m.

"The board not only failed to investigate what was at issue, it even missed the issue. At issue were not simply 'innuendoes' but facts. They had the details at their fingertips and in the police files but chose not to look. They ignored the fact that the complaints statistics mean nothing because most people are simply afraid to complain about the police. They ignored the fact that when people do complain, they are sometimes subjected to countercharges which are then used by the police in a trade-off—you drop your charge and we'll drop ours. That is the Laurianne-Robert example.

"And the police commissioners said nothing about the fact that in those few instances where citizens have had the courage to face the police in court, the intimidating countercharges were strangely withdrawn at the last moment.

"Here we have a classic example of how the police commission has failed the public. In refusing to allow public access to police complaint hearings, what do they have to hide? The commission has set itself up as some sort of court of last resort, a supreme arbiter between the public and the police. But, as this investigation shows, when push comes to shove, the commission fails in its role. It had a clear duty to investigate this whole issue without fear or favour—and ended up doing next to nothing."

I see the Solicitor General was smiling while I was reading that. I do not know if he was smiling about that or something else. But he would not be laughing if he lived in Niagara and had the same numbers of this kind of complaint brought to him that I have. He would not laugh if he represented the citizens who complained about the indifference of the commission, the constant authoritarian action of the chief of police and the failure to investigate all kinds of complaints that are made.

There was also another editorial in the St. Catharines Standard. All these things pertain

very much to the bill we have before us, Mr. Speaker, because we are talking about the composition of police commissions. This editorial, dated October 2, 1982, is headed: "Chief Harris and the Law." It says:

"Is Niagara Regional Police Chief Don Harris kidding the public or is he kidding himself when he suggests that internal police discipline hearings are really no different from the kind of hearing an employee is subjected to when he is called on the carpet by his boss for, say, spending too much time at the water cooler.

"These police hearings, the chief said this week, are private matters and should remain private. To drive home this point, Chief Harris asked a reporter, 'How would you like it if one of your newspaper articles was printed upside down by accident and a public inquiry was called?'" The editorial writer said, "He can't be serious."

"We are not talking about the case of a police officer being reprimanded by his sergeant for failing to have his boots shined, nor are we comparing the operation of a public law and order organization such as a police force to a private business. What we are talking about are police discipline hearings conducted under provisions of the Police Act, a law of this province."

It goes on to say: "It disturbs us to think that we have a police chief with so little respect for the public's constitutional right to know, a police chief who prefers to deal with matters of public law in private rather than public. Maybe Chief Harris forgets that the police are accountable to the public and are not a law unto themselves."

To give one further example about the police situation in Niagara, some four or five years ago the Thorold city council—I know all its members—invited the chief of police there to explain two or three things. One was the closing down of its headquarters in the city.

One of the councillors there spoke to the other officer who was with the chief, Superintendent Lee. He is one of the most respected officers in the whole force. The councillor referred to him as an inspector rather than as a superintendent. The chief immediately said, "When you refer to any officers in my force, I want them to be referred to by their proper title." That was his comeback.

When the meeting was about one quarter over, they questioned him further. He said: "I have had enough of this; I do not have to take this; I am not going to take this." He slammed his briefcase shut. He ran out, jumped in his car

and squealed those tires for a distance of 50 to 100 feet—something for which his officers would have laid a charge against a young person. But that is his temper.

The council sat there dumfounded. They could not believe that the chief of police, a man who is getting \$73,000 a year, would do that sort of thing. When this was taken up with the police commissioner, he was upset. When this was taken to the police commission, there was no action taken whatsoever. He takes this kind of attitude against an elected council. I want to say this would not be permitted for employees of an elected commission.

The foregoing are the obvious reasons why the police chief and the police commission are held in something less than high esteem by the public in the Niagara region. More, I suggest it is irrefutable evidence that the police commission there is not functioning in the public interest and is not adequately accountable to the people of that region. I want to say that the composition of that police force is partly responsible because there is not enough input from the elected people in that area.

This is one of the reasons why this party is moving an amendment to have three members of the police commission elected from council and only two to be the appointed representatives of the government of this province.

There are other reasons why this bill in its present form, with three appointees and two elected people, cannot be supported. The Solicitor General must be aware that over the last five, 10, 15 or 20 years, almost every year every municipal association in this province has asked to have the composition of the police forces changed in line with the amendments we are moving.

They have said, and rightly so, "We want the police more accountable to the public through their elected representatives." They have said, "We, the property taxpayers, are paying the bulk of the costs of policing." Therefore, it should be their representatives, a majority on that commission, making the decisions about how much money is going to be spent and how it is going to be spent. At every convention they have passed a resolution and submitted it to the government, and this government has ignored the obviously unanimous requests of the elected municipal councils of this province.

Apart from the isolation of the present commission, apart from the requests of the municipalities, there is the very real issue of who is paying the piper, who is paying the commission.

I checked the Niagara regional police once again. This year their budget was \$31.5 million. Of that, \$25.3 million, or 80 per cent, is being raised by the property taxpayers within the Niagara region. The total costs for regional services for all other purposes in the Niagara region, whether it is welfare, sewers, water or whatever, are some \$38 million. This means that the police costs on the taxpayer are something like 40 per cent of the total taxes levied by the region.

For all of these reasons, but mostly because of the need for greater accountability, we in this party are supporting this bill on second reading so we can get these amendments before this House, hopefully amendments which have the full backing of municipal councils and of the great majority of the people in Ontario. We hope they can be dealt with and accepted by this government. I want to say here that if this government decides it is not going to accept these amendments, we will not give that same kind of passage to this bill on third reading.

4:50 p.m.

Mr. Haggerty: Mr. Speaker, I want to address myself to the amendments to the regional bills. The explanatory note is that this bill would remove from the acts establishing the regional municipalities the present requirement that one member of a board of commissioners of the police be a judge. In listening to the member for Welland-Thorold (Mr. Swart), I wished he was in the House back in 1970 when the regional bill for Niagara was passed. I think two members of the Legislature were opposed to it, and the other was my colleague the member for Niagara Falls, George Bukator, who was the sitting member at that time. These were the issues I believe we raised at that time.

We were not too pleased with the proposed establishment of the regional police force because we thought it would not be accountable to the taxpayers or serve them as they had been previously served by local police forces. I can recall our comments that we strongly objected to the appointment of a judge as a member of the police commission. I think our viewpoint was pretty well expressed. We thought all members of the police commission should be elected at large since they would have to have some accountability to the taxpayers.

We were concerned about the appointment of the judge on the police commission because he should be impartial in any decisions on police matters and in the business of the courts. He should be an independent person and should

not have any affiliation whatsoever with police matters. If he was going to sit and judge the accused before the courts, he should not be part of the police commission. That was our view at that time.

I see that we are now still going to have provincial appointments under this act. As explained to us at that time, one of the reasons we were having appointments by the Lieutenant Governor in Council was it would remove any political presence in local councils. There was a question it might not be above board if they were all elected by the taxpayers who were paying the biggest shot.

When one appoints someone to the police commissions by the Lieutenant Governor in Council, as was done in the past, that is more political than anything because usually the majority of those who sit—and I am looking at the region of Niagara—are lawyers. They are sitting on the police commission when sometimes in their own practices, where they have a number of practising lawyers, they may be defending the accused. Whichever way one looks at it, there is always that possibility of influence because of one's colleague sitting on the police commission.

I know from the past history of some of the police departments in the area there were some improper procedures in cases that were handled years ago. Even at that time it was based upon the politics involved in it.

I do share some concern today about matters coming before the police commission and before the courts in the Niagara region where there is plea bargaining. Sometimes I wonder if justice is really done in this procedure where we allow plea bargaining. It is difficult when one has legal counsel going before a court; they can back out through plea bargaining and neither one loses the case. That may give them a top rating within the bar association of a county or region, but there are still problems that constituents bring to my concern.

Over the years I have had a number of complaints of police brutality within the Niagara region. I am satisfied from letters I have written to the police chief and the deputy police chief, particularly to Deputy Chief Gayder, who is now the police chief of the region, with his review of the charges made. I sent letters back to the people who brought to my attention accusations of police brutality and I asked them: "Are these the true facts? Do you have anything to add to them? Has anything been omitted?" In no instance have I received a reply

back from those who have complained of police brutality.

I have often gone to the local police departments and checked the complaints out myself. After getting the stories there and talking to accused persons, I am satisfied that a reasonable approach had been taken on the matter of police brutality. I do not think it is going to be wiped out or cured. It is going to be there regardless of what police department is there. People who have objections to the present method of inquiry still have the opportunity to go to the Ontario Police Commission for a further review of charges of police brutality. Normally, that is the proper step to take.

I have always shown concern here on matters related to police costs in Ontario, particularly in the municipality of Niagara. At times I have talked in the House and to former Solicitors General about the matter of cost-sharing of policing in the regional municipality of Niagara. The present minister responsible and, as I can recall, some of his predecessors have indicated there have been some discussions with the federal minister in Ottawa concerning a bigger cost-sharing transfer of payments from the federal department to the province and to the local police departments in Ontario.

At present they often cannot enforce a bylaw in a municipality without having to hire bylaw officers. That puts an extra cost on the municipalities. Before, the police used to do that. I understand the police have more important things to do than to enforce local bylaws. One such thing is their involvement with the Criminal Code, which is federal legislation. I think local police forces are spending more of their time in that area than they are in providing good police protection within the municipality of the region.

As my colleague the member for Welland-Thorold has indicated, 40 per cent of the municipal taxes paid by the taxpayers of the region is required by the police department or by the police commission for their financial needs in operating the police force in the region. That means there is a bigger shift of the cost to the taxpayers in the region. Perhaps it is getting out of hand.

I suggest to the minister responsible he should review those past discussions with the federal department to find out if it is coming through with additional transfer payments for policing. I will say they are doing a good job in the Niagara region in relation to drugs. Just in the past week, working with the Royal Canadian Mounted

Police and the Ontario Provincial Police on a drug investigation, the regional police have come forward with a good case within the region. But I suggest this is putting additional cost on the taxpayers again.

Meanwhile, we do not see policemen on the street any more in local municipalities. I can recall one of the statements made by the former police chief in the region, Don Harris, that he was going to put policemen back on the beat again. There are not too many school children or youngsters out on the street any more who even know what a policeman looks like. The only time they see them is when they are driving through. I suggest that one way to get better communications and a better relationship with the police department and police officers is to put them back on the street.

5 p.m.

One of the difficulties I find in the Niagara region is that somebody who has been raised in the city of St. Catharines or Niagara Falls may be put in a cruiser and told, "Your shift this week will be in Fort Erie"—someone who knows nothing about the location of the streets or the people in the area. I can recall that in Port Colborne, for example, when a crime occurred, the old police force could almost tell you right away who did it, because they had an idea; they were on the streets, and they saw it almost before it even took place.

Just the other day I passed through St. Catharines on a bus coming to Toronto. It was in the early morning, and I went by the police headquarters in St. Catharines. I think I counted 25 or 28 police vehicles sitting in the parking lot. I could go to the police administration building in Welland, and I bet I could count 14 or 15. I suppose if I went to Niagara Falls, I would find another 15 vehicles sitting there, idle.

In the morning I sit back and listen to the radio news from St. Catharines. One usually hears that another place that has been robbed or violence has occurred at one of the Avondale or Becker's stores or something like that. This happens all the time in the evening. One wonders whether we are not providing police protection at the wrong time of the day and whether perhaps we should have more officers on in the evening.

If one talks to some of the officers, they say, "We have to come back, and we get extra time to investigate something that happened during the night." Perhaps if they had been doing their shift during the night, with more officers on, we

would not have the crime rate there is in the Niagara Peninsula.

Also, when I look at the reduce impaired driving everywhere program in the peninsula, I am lost. I guess it is a good program. It is supposed to remove the drunks from the road, and yet in another four or five weeks, we will find a great number of vehicles in the Niagara Peninsula under the RIDE program because it is coming around Christmas—the joyous season, I guess it is.

I saw the Ontario Provincial Police in the Sherkston area this summer with their spot checks. Quite frequently they were on Empire Road, leading to the Sherkston beaches, which is a major summer tourist attraction for persons who want to go camping and have day use of the beach. The police are there too, stopping all vehicles, I suppose in the hope that they are going to get somebody in there who has been drinking or who has opened beer bottles or something in the back of the car.

If they were to use that same practice in one of the major tourist cities of Canada, I do not think the businessmen or the chambers of commerce would tolerate it. But it seems in the Niagara region they single out the RIDE program, perhaps more so in Fort Erie and Port Colborne. It does not drum up tourism if the tourists coming into the area have their cars searched, and this is what they are doing.

I raised that matter with the minister responsible for policing in Ontario. If they are going to have a program of that nature, particularly the RIDE program, they should apply it not just at Christmas time or for two months in the summertime, but for 12 months of the year.

The Acting Speaker (Mr. Cousens): I am having difficulty finding that the member is really speaking to the bill.

Mr. Haggerty: I am speaking to the matter of the police commissions that are responsible—

The Acting Speaker: No. I say that you are going a little bit beyond the terms of the bill.

Mr. Haggerty: I am doing it very well, because I am dealing with the principle—

The Acting Speaker: No. The member is even going beyond the principle. I ask the member to stop straying. I have let the member have a long lead. Will he please come back home?

Mr. Haggerty: This is the policy of the police commission. Is that satisfactory now, Mr. Speaker?

The Acting Speaker: I do not think totally, but just try to make that point.

Mr. Haggerty: I am close to the borderline, but I suggest to you that this is the policy of the police commission in the Niagara region. I suppose it comes back to the matter I spoke of before, that all police commissioners should be elected and accountable to the taxpayers.

The Acting Speaker: Now you are relevant.

Mr. Haggerty: Those are the problems I am concerned about. I come back to the RIDE program, the policy of the police commission and the policy of the chief administrator of all the police forces in Ontario.

Every time New Year or another holiday comes along, what does this government do? It extends the drinking hours for the joyous season, and then it has the RIDE program out there, knowing full well this is going to happen to a person who goes overboard perhaps once a year.

I do not want the minister to misunderstand me. I do not think anybody who drinks should be driving an automobile on the roads today. I take that view because I have some strong reservations about drinking.

I bring to the minister's attention that we cannot have it both ways in policing in Ontario; we cannot have the RIDE program and then extend the hours for drinking. If we want to control drinking and driving on the roads today, we should be looking at reducing the number of hours that the taverns and hotels can be open. Perhaps that is a theory the minister should be looking at, cutting down the hours during the Christmas season.

The Acting Speaker: I thank the honourable member.

Mr. Haggerty: All right. I will get back on the topic. I suggest to the minister responsible for this bill that I have some strong reservations on the section dealing with the regional municipality of Niagara, which provides that we are going to have five members of the commission, three to be appointed by the Lieutenant Governor in Council and two from the council appointed by resolution of the regional municipality.

I do not think that is a fair approach to resolving a problem in the peninsula where we want more accountability to the taxpayers for police expenditures. One way to do it is to appoint three members representing the regional municipality of Niagara and to have two appointments by the Lieutenant Governor in Council.

I would even go further than that. I am sure there are a number of interested citizens in the Niagara region who would be only too pleased

to have the opportunity to sit on the police commission. Maybe we should be looking at electing them at large. Then they would be accountable to the taxpayers and to the people who are looking for responsible policing in a municipality.

I understand the New Democratic Party will be moving an amendment in this area. I suggest that a majority of the members of the police commission should be appointed from members of council, the elected body. Maybe that is an approach this minister should follow.

The Acting Speaker: I thank the honourable member. The member for Ottawa Centre.

Mr. Cassidy: Thank you, Mr. Speaker. It is good to hear your voice.

I want to make a few comments about Bill 86 and the modest efforts being made by the government to try to bring the administration of policing in the province into the 20th century. I remind the Solicitor General (Mr. G. W. Taylor) that since these reforms seem to be made about every 30 or 40 years, I suppose this is a reform that the government—since it believes it will be in power forever—intends will last us until the 21st century. I suggest it is not good enough in view of the type of society we face and in view of the difficult problems that are faced in the administration and management of policing in the province.

The purpose of the bill is to bring about reform in an anachronistic system of governance of police in Ontario. But all the bill is going to do is knock judges off the police commissions of the regional municipalities and replace them with Tory appointees. It is not going to change the balance. The balance will continue to be a minority of local elected representatives and a majority of people who are essentially Tory hacks. Some of them may be high level. Some of them may be just Tory hacks. Some of them may be quite public-spirited. However, they still will be appointees and nothing more, responsible—if responsible at all—to the government which brought about their appointment.

5:10 p.m.

I am afraid that kind of reform by degree is not adequate for the kind of situation we face in the coming years. I want to talk a bit about this. It is an issue that has concerned me for a long time, and it is an issue to which sensitive and positive responses can be brought, not necessarily and only through the reform of police commissions, although, as my colleagues have

indicated, we will have amendments in that direction when we get to the committee stage of this bill.

Let me take the Solicitor General back to 1970, when I was a member of local council in Ottawa along with the member for Ottawa South (Mr. Bennett). It was the end of the 1960s, and there was perhaps less understanding then than later about the gap between the establishment in mainstream Canada and young people who at that stage were very numerous.

There was conflict between the community and young people, and the police were put into the centre. From time to time, there were some regrettable incidents in which people were hurt and where it was alleged they had been beaten. Certainly no dialogue to speak of took place with respect to the right of citizens who chose to wear blue jeans and beads rather than three-piece suits and nice ties.

At that time I suggested that in view of the limited background or the kind of group from which the police force in Ottawa tended to be drawn and the problems we had, there should be a community advisory board—a police community relations board, I think I called it—which would be appointed by city council in Ottawa to provide an input by different elements of the community into the operation of the police force.

This would have been an advisory body. It would not have had any powers to direct what the police did, but it would have been a means by which the views of young people, the ethnic communities, perhaps old people and women could be felt and heard by the police commission and through them by the police force itself. Unfortunately, that did not occur.

The council of the city of Ottawa by a rather overwhelming vote at the time said: "We do not think that is necessary. You are trying to politicize the police." They said: "The police are to fight crime. Therefore, we want them to continue to fight crime the way they have been organized over the course of the previous six or seven decades."

As my colleague the member for Welland-Thorold (Mr. Swart) has pointed out, a lot has changed even since that time in people's perceptions of what it is police have to do. Police, most of the time, are acting as civil agents of authority and as administrators of our laws rather than fighting violent crime. In 1970, the average policeman in Ottawa made something like one or two arrests a year in connection with a violent crime. In other words, most policemen

did not have contact with a violent crime during the course of the year. I suspect that picture has not changed remarkably over the course of the decade since then.

The police do the same kind of job as a civil servant but they do it in a much tougher environment and under much tougher conditions. They have to make real-time decisions as to whether our law in this Legislature, that "Thou shalt not drive more than 50 miles an hour or 80 kilometres an hour," will apply in the case of somebody who is buzzing by in a car at 55 or 60 miles an hour. They have to make those discretionary decisions all the time.

It is a difficult environment. Not everybody a policeman comes into contact with is a savoury character. There is an element of risk and violence in the job. It is an unstructured and difficult job in that way as well. We say that when civil servants sit in the Macdonald Block or in the city hall of Ottawa, the accountability for the work of those civil servants should be through the elected officials to whom they are responsible. In this Legislature, that means the Legislature itself and the cabinet, Her Majesty in right of the Lieutenant Governor in Council.

In the case of a city government, we talk of accountability occurring through the elected officials; that is, through city council, the mayor, the board of control or executive committee, if they happen to have that type of arrangement. When it comes to police, however—and as my colleagues have pointed out, the major single expenditure of local government in this province, apart from education, is on the policing function—that kind of accountability does not occur.

It quite explicitly does not occur not only because of the structure of police commissions but also because there is not even budgetary control over local police forces in the hands of the people who pay the piper.

Local councils pay the piper to the tune of 85 or 90 per cent of the costs of policing in Ontario. But they do not have the power to call the tune even by imposing financial controls, because in the case of a disagreement between the police commission and the local council over the budget, the local police commission is put into a completely different status than, I think, almost any other body. The only other similar body I can think of is the children's aid society in its dealings with the province.

The police commission locally can go to the Ontario Police Commission to arbitrate a dispute over budget if it is dissatisfied with the

decisions of the local council as respects the financing for the coming year.

The situation that exists right now, and that will be perpetuated if this bill is not changed, is that in budgetary matters the police force through its police commission is not fully responsible to the local council, despite the fact that it is more heavily financed out of local funds than any other city or local government function.

In addition to that, the local police commission is not accountable to the local council because the majority of its members are and, as the government proposes, will continue to be appointed at the provincial level; they will be provincial appointees.

That raises the question, how then does one acquire two things? One is effective management and the second is sensitive and responsive administration with respect to the police duties of administering and seeking to enforce the laws. In both of those areas we suffer seriously because of the existing structure of police commissions and because of what is proposed here by the ministry on behalf of the government.

Let me talk first about effective management. Effective management would surely ensure that there is a close look taken at the expenditures of the police, at the goals for which that expenditure is directed and then at how best to achieve those goals.

In many cases, the police are doing their job in an effort to meet goals that are shared by other organs of local government. A very good example is helping to deal with young people who may be unemployed and feeling rather tempestuous and steaming at the age of 15 or 16 as they get in the mid-teenage years and therefore may be acting out or acting up, causing some problems in school and the shopping centres, possibly committing some petty crimes or disturbances of the peace.

There are many ways of dealing with that specific problem. One may deal with it through social services, the provision of hostels, the children's aid societies, the recreation services of a community, by stepping up street patrols by the police force, by starting to send more policemen around perhaps dressed informally rather than in uniform to youth clubs and centres and shopping malls just to establish a dialogue with young people and to help to direct their considerable energies into areas that are more constructive than breaking windows, vandalism or that kind of thing.

When the police force is insulated by the present structure from the rest of local govern-

ment, that kind of dialogue and that kind of consideration of goals is much more difficult to carry out.

5:20 p.m.

It is always open to the majority in the police commission simply to say—I have had it said to me in Ottawa and I suppose it is said elsewhere as well—“We are here to fight crime. And because we are, all of this stuff does not mean anything to us and therefore we are not going to do anything about it. We will do things our way. We are the experts in this field. Therefore leave us alone and stop trying to get us to co-operate with you in all of this artsy-fartsy bleeding-heart stuff you are trying to do.”

I know I exaggerate a bit. That attitude is not prevalent in all police forces. It is certainly not prevalent among all officers of the law or members of police commissions across the province. None the less, because commissions are essentially responsible to no one, or responsible only in a very indirect way to this government, they are left free to take that view. I suggest that view is an anachronism.

I do not think all wisdom about fighting crime exists only in police forces. Certainly it does not exist only in the members of police commissions, most of whom are there as citizens rather than for any expertise they may happen to have. Nor could I maintain that all expertise about solving problems of rebellious teenage kids is in the hands of social workers or recreologists or other people in the community. Everybody has something to contribute to a problem of that nature. That could be acknowledged if the police were not segregated from other agencies of local government as they have been in the past and as the government proposes they continue to be.

The question of how to provide services effectively in hard-to-service areas of the community—

Interjection.

Mr. Cassidy: Mr. Speaker, does somebody else want the floor? I am sorry.

The Acting Speaker: No, I believe you have the floor.

Mr. Cassidy: Thank you. Perhaps you could use your powers then to ensure that I do have it, Mr. Speaker.

The Acting Speaker: I ask the members who are disturbing the member for Ottawa Centre to restrain their conversations and keep their voices to less of a roar.

Mr. Cassidy: Thank you, Mr. Speaker.

The question of how to ensure services to people in the community who may feel their needs are being overlooked is another which I think suffers. Therefore, both the commission and the force suffer in terms of social responsiveness and also in terms of efficient management as a consequence of that.

I will give an example. It is a question of the way in which police seek to protect women against sexual assault in the community. That is a very real problem, both in trying to prevent rape and sexual assault and also in what happens afterwards if a woman is sexually assaulted, how she may be treated by the police. The police commission has had a program of trying to do some educating of police forces in terms of how to deal with the victims of rape or sexual assault. There has been possibly some modest improvement about that.

None the less, a lot of women in this province fear how they will be treated by the police if they are sexually assaulted and they lay a complaint. They are already feeling terrible over what has happened, yet there is still a fear abroad, a sense that they will not be taken seriously. They fear they may not be believed, that they may even be subjected to some type of ridicule or to comments suggesting they were responsible for the act taking place. They fear this could happen when all they were trying to do was to live their lives normally.

That women in Ottawa, Toronto and other places have felt moved to hold such rallies as the one called Take Back the Night—aimed at having a situation where women as well as men can feel free to move around and to go about their affairs, their recreations, whatever they want to do; their work at night, in many cases, as well as by day—is an indication of the fact that we certainly have not succeeded fully in ensuring that women feel as secure in our communities as men do in terms of their personal security and their freedom from sexual assault.

When a group of women want to raise this question, what do they do? If it is a shortage of rink time for ringette for young girls, or if it is a shortage of facilities in the swimming pools and athletic facilities for young women, or if it is other matters which relate to the actions of city hall, they go to city hall. But if they go to city hall to talk about this particular question they may well get a mayor like Marion Dewar in Ottawa, who says, “I think you are right; I will even try to raise it with the police commission,” of which she is a member.

However, the elected officials are powerless

if they run into stonewalling from the majority on the police commission, possibly backed by senior staff, senior officers in the force who say, "Yes, that is interesting but it is not a priority at this time." There is no political sensitivity built in there to very legitimate and to very real concerns so long as the elected local people are not in a majority and therefore cannot be held accountable for the actions of the police commission.

Not only that, I had occasion the other day to talk with a very senior law officer from another province. We were talking about the question of the degree to which the law officers of the crown have discretion or control over actions of the police, or of crown attorneys and crown prosecutors.

My friend said to me: "There is very little room for discretion, or room to manoeuvre, even though you may nominally be the guy at the top. There is very little room for that because you are being watched like a hawk, and because what has happened is that the people in the legal system, both at the provincial level and at the local level, have carved out an enormous area for autonomy where politicians are essentially told, 'Tread in here if you dare.'"

What that means is that if women in Toronto who are concerned about taking back the night want to come to this place and talk to the politicians, who presumably are accountable since it is the government that appoints the police commissions, they still get the runaround. They get told: "That is a matter for the police commission. That is an independent body and, boy, we would not want to interfere with that." They get told what my friend the member for Welland-Thorold was told by the Attorney General (Mr. McMurtry) and by the Solicitor General. They are put off. They are told that their complaints, their queries or their problems are not really serious. They find the word that the police come forward with is taken invariably and the concern of the local citizen, or of the local people, tends to be overlooked.

The situation has improved. We now have a complaints procedure across the province. It is not ideal but it is better than having none at all. There are certain avenues, but as my friend the member for Welland-Thorold indicated, those avenues are not always wholly open.

There have been cases recently, not far from this Legislature, of actions by the police in terms of lodging charges which on the face of it look to be nothing but vindictive retaliation against someone they did not like very much because of

actions that person may have taken with respect to police powers in the past.

If the Solicitor General would come out of this chamber and talk objectively, realistically and privately about this, he would acknowledge that this is the case. We are not in a situation where there are no problems, even though at the same time we are in a situation where there is a great deal of respect in our province for our police. We are prepared, as a society, to pay for policing. We put more resources into that area than they do in the United States, for example, in cities with much higher crime rates than exist here. There may be a correlation between those two facts.

There is a great deal of latent and innate respect for the police, which I share and which most people in the community share, even if from time to time that faith and that confidence are undermined or are affected by specific incidents and specific problems.

5:30 p.m.

Where there are specific incidents and specific problems, it seems to me accountability is a way of helping the local forces resolve those problems and to either retain or re-establish the public's confidence, which I guess is their most important single asset. Let us face it, most policing is the policing we do ourselves. We regulate ourselves in this society. It is not so much what the cops do; it is what we do ourselves. The police are there to assist in that in order to maintain an overall fabric of law and order.

When the community feels the police have for one reason or another overstepped their bounds, it would also be possible to define just what it is they ought to be doing and to set some reasonable parameters within which the police should exercise their discretion.

To take a hypothetical example, let us suppose along the Gardiner Expressway and Highway 401—that is the Ontario Provincial Police—but along the Don Valley Parkway and the William R. Allen Expressway in Toronto, if the police were to start stopping every driver who exceeded 90 kilometres per hour and arresting them, and doing that at the height of rush hour morning and night, the Solicitor General knows perfectly well the place would quickly turn into chaos.

It is not effective policing for that to occur. We do not have an accountable body which can say to the police, "Let's talk about how you exercise your discretion in terms of administering the law with respect to speed limits." We

leave that out in limbo, and effectively it is done by the senior officers of the force who say to the boys: "Let them go up to 60 miles an hour. Above that is where you should move in, because it is beyond that point that people are starting to be a danger."

What about the case where public funds and public respect are being undermined because of what one can only assume are attitudes within the police which are worked out in police actions which wind up in ruinously expensive law cases with little impact except in the deterioration of public respect for law and order?

I have in mind, for example, the police raid on the bathhouses in Toronto in 1981. If the police at that time felt there were abuses in the bathhouses, effective police administration would have begun by seeking to talk to the people in charge of the bathhouses—which had, after all, been operating for dozens of years in this community—telling them what they thought were matters of concern and seeing whether an appropriate accommodation could be reached.

If that did not work, they did not need to go in and arrest 85 or 150 people to make their point. It was quite feasible to indicate that a test case would be brought, a couple of people would be arrested, the case would be tried and the courts would effectively be asked to determine standards in an area where the police view of community standards was different from what was actually going on.

I think this is particularly relevant where one has matters such as sexual orientation, lifestyles, crimes which are victimless crimes essentially. These are the areas where I think the police have the greatest difficulty in terms of how they are going to enforce the law.

There was no accountable body down there in the Board of Commissioners of Police for the Metropolitan Corporation which could seize that question when council was outraged over the behaviour of the police in the bathhouse raids. Here they are spending \$80 million a year or something for the policing of Metropolitan Toronto. They could turn around and say: "Look, guys, we do not want that to happen. Go and catch crooks, for Christ's sake, but do not go and harass ordinary people and force people to commit suicide and that kind of thing. That is not the kind of community this is. If there are specific problems you want sorted out, there are other ways to do it."

However, this did not occur. In the end, the cases went out to some court in Scarborough. Goodness knows how much public resources

were spent. The failure rate in terms of getting convictions was of the order of 90 or 95 per cent. I cannot think anybody could have felt proud about that case.

There is a case now before the courts in Orillia. I cannot comment on the particular case, but I can comment on what happens when irresponsible police commissions are in control of local forces, because in that particular case the police decided, gratuitously, that they would have a press conference. They called everybody in and they said, "Boy, do we have a story to tell you." They proceeded to tell a story and to provide to the press the names of everybody who had been arrested only an hour or two after the raids had taken place.

This is a clear signal; here is a great big siren to say, "This is a story to splash over the front pages of your paper." In addition to that, after wasting police resources over the course of the summer by having surveillance in some hidden little office where dirty-minded little officers looked into toilet cubicles—that is what is happened—after that occurred, then at 8 a.m. on the first day of school the police came down and, forthright in their battle against crime, arrested teachers who were preparing for the first day of the return to school on the grounds that they had committed some offence, some one, two, or three months previous, in a cubicle in the toilets in the Orillia Opera House.

What happens in the case is a matter for the courts. I would predict the success rate in getting convictions will be as low as it was in the case of the bathhouse raids in Toronto in 1981. I would suggest that is a waste of police resources, inefficient management, and that those people should have been better occupied doing other things.

When the police want to curb speeding on Highway 401 they put a cruiser in a very prominent place next to the highway and everybody gets the message and slows down. If they were concerned about what was happening in some toilet stalls up at Orillia they could have put a sign up, they could have sent the janitor in, they could have closed the place after 6 p.m. or they could have had a police officer go on his patrols and look in there two or three times every evening. There were many other approaches that would have been a hell of a lot more efficient and a lot cheaper than what was done.

What happens if a bunch of women who are concerned about the protection of the rights of women at night or a bunch of citizens who are simply outraged at the behaviour of the police in

Orillia want to raise the question? My friend the member for Welland-Thorold has indicated what the Niagara Regional Police Commission did in the case of a woman who simply wanted to appear before the police commission and lodge a complaint. They told her to "stuff it" and said they were not accountable in any way. The elected members of that police commission were powerless, as they told my colleague.

In the case of Orillia, the commission can tell the people there to "stuff it" and say that they are "not interested in hearing from you because, after all, we are not responsible to you, we are responsible to our masters down at Queen's Park, the people who actually appoint us."

The question that is raised was raised when the Minister of Municipal Affairs and Housing (Mr. Bennett) and I were on the council in Ottawa. I suggested the creation of an advisory board by which some of these questions could be raised and dialogue could take place with the police. There was the fear that somehow we would create a Tammany Hall situation in Ontario where the police would become corrupted and where politicians would be playing games with the police force. One could get the situation that occurred in Chicago or in New York back in the years between 1913 and 1919, but this is not that time; we have moved a long way since then.

In this province, the respect for the police that exists, coupled with the fact that the Ontario Police Commission has the right—either with the instigation of a local municipality or on its own initiative—to investigate any behaviour of police of which it disapproves, provides the checks and balances in the situation. I do not dispute that policing is somewhat different. That is why the amendment we put forward does not seek to rule out provincial appointees entirely on police commissions; it simply seeks to make them a minority and give majority control to the local elected representatives who are chosen by the council.

5:40 p.m.

I think that a structure of accountability is important if police are to retain efficient management and if they are to retain the respect they enjoy in the community right now, particularly if they are to retain the respect of ethnic communities, minority groups, people of different political persuasion, people in trade unions, working people and from all other groups that tend to be excluded from power, authority and influence in this province.

In certain cases police in this province respond

to those groups fairly well. I was involved in the mill strike in Ottawa some time ago. In that case there were problems because the police did not know how to handle a labour dispute. They did not know how to turn around and think through how they would handle a labour dispute. It took about two and a half months before they got it straight and began to behave in a reasonable and appropriate way—in a way the Metropolitan Toronto Police have been able to do in labour disputes for many years.

But if one wants that accountability and responsiveness there and if we want to keep this province a secure, law-abiding and law-supporting society into the next generation in a world which is increasingly the opposite—lawless, anarchistic and insecure—one has to do more to adapt to the times than simply tell the judges they cannot stay because the government wants to create 10 or 12 jobs for a few more Conservative appointees.

That is why, although we are supporting this bill on second reading, I hope very much that the amendments we have to propose will be accepted, or the government will enter into dialogue with other parties now in order to suggest some alternatives which might ensure effectiveness, responsiveness and social responsibility on behalf of police forces in Ontario.

Hon. G. W. Taylor: Mr. Speaker, I thank the members for their comments on this particular piece of legislation. I might suggest I do not agree with all of their comments, which would be understandable, nor their reasoning in arriving at their comments, which again is understandable.

I have heard the arguments before and I am sure this Legislature has heard them before. There is not an enormous amount of originality to them. When the numbers come up and have been inserted in the legislation, the arguments on both sides of the issue have been heard before. I cannot add any more to the comments or their originality, or lack thereof, before this legislative chamber.

I heard the member for Riverdale (Mr. Renwick) add that it should be three and two and they would like it two versus three and, but for a typing error, it would be two versus three. Even after all that is sorted out and given the mention—and he has said it is perhaps a typographical error—one cannot accede to the argument put forward.

I am sure the members opposite are going to put forward all the amendments and the arguments will be repeated when the bills go to the

committee of the whole, so I will not add any great amount of detail to debate the positions put forward by the numerous members who have spoken on the matter. I can assure them their views have been heard before and recognized. I might say that when the amendments are put forward we shall consider them further at that time.

I might add that I think I can get no support on the amendment of the member for Riverdale for the increase in the Metropolitan Toronto police commission to 19 individuals, be it magical, be it a prime number, or be it any other configuration of 19. Not knowing any other police commission throughout North America that has any bodies in excess of five members, I would not accede to any other number. I have no other recommendations, other than the member's, to exceed a number of five or in excess of five.

Mr. Renwick: Would the minister believe 13?

Hon. G. W. Taylor: Is that another prime number?

Mr. Renwick: Yes, it is.

Hon. G. W. Taylor: I find no magic in the prime numbers the member puts forward. The workings of the Metropolitan Toronto Police have been handled exceedingly well by those members in consultation. By having conversations with those members, elected as well as appointed, the operation of the Metropolitan Toronto Police moves along very smoothly.

Motion agreed to.

Bill ordered for committee of the whole House.

POLICE AMENDMENT ACT

Hon. G. W. Taylor moved second reading of Bill 87, An Act to amend the Police Act.

Hon. G. W. Taylor: Mr. Speaker, this bill establishes five-member boards of commissioners of police in municipalities with a population of more than 25,000. Twenty-one municipalities would be affected. Smaller municipalities would continue with three-member boards of commissioners of police, but would have the option of establishing a five-member board. Where a board is being enlarged, one of the additional appointments would be made by the municipality and one additional appointment by the Lieutenant Governor in Council.

The legislation basically responds to a widespread desire to enlarge the membership on boards of commissioners of police. It has been recommended by municipal councils in past

years and it is intended to afford a greater flexibility to the boards in obtaining a quorum and giving a greater representation to municipal councils on these boards.

It is a matter to which we have given some consideration. Although these two amendments in Bill 87 and Bill 86 are not precluding any review when the Police Act is completed—it is at present under review—they are a commencement to trying to get some matters done now, considering that a great deal of the legislative timetable is not available to us at this time.

Mr. Spensieri: Mr. Speaker, on behalf of our party, I would like to state at the outset that we are going to support this bill, although we see it as a bit of a slap on the face for the committee that has been studying wholesale amendments to the Police Act for a number of years. We feel this type of piecemeal introduction, this so-called modest step, as the Solicitor General himself called it, is ultimately counterproductive because there has been for some time the perception in Ontario, especially in the smaller municipalities, that the Police Act is long due for an overall review and an overhaul.

It seems to me to be an extreme case of squandering public resources when a special committee is appointed. It deliberates, it talks, it has hearings, and then we find ourselves with this very inconsequential amendment. The amendment itself is good to the extent that it gives municipalities with more than 25,000 people the right to additional representation. That is something that has been called for throughout and has been the subject of many discussions in the course of previous estimates of the Solicitor General.

5:50 p.m.

We are not quite sure how the Solicitor General envisages the optional clause. Perhaps in his response he would care to comment further on it. Is it going to be something that is going to be initiated in the municipalities that do not have 25,000 individuals? Will it be initiated by the head of the council? Will he make a request basically of the mechanism for entering into this optional larger commission? It appears to me to be unclear, and certainly one would have thought that it could have been more adequately spelled out in this amendment.

In the dying minutes of this particular discussion, it seems to me not in any one's interest to prolong discussion of this amendment. I would just like to say we will certainly be supporting it

in so far as it goes, while regretting that it does not go far enough.

Mr. Renwick: Mr. Speaker, we do not find the principle of Bill 87 offensive to this party and we will, therefore, not oppose the proposal. Indeed, there is a considerable merit to providing the obligatory need for municipalities of 25,000 or more to have an enlarged board and to provide the flexibility for smaller municipalities.

The way in which the bill happens to be drafted, and perhaps the Solicitor General would respond to this matter, is that if a council of a municipality with fewer than 25,000 people passes the resolution for which provision is made in this bill, the province will go ahead with the appointment of the additional provincial member.

I assumed that would follow as a matter of course, that that would be an informal precondition of a resolution of the council being passed, but I would not want anyone to interpret this bill until the consent of the government had been obtained. What this says is that a council having determined they want the enlarged board, it would then be, in my reading of the bill, pre-emptory on the government to appoint their appointee to the board.

Mr. Speaker, I do not intend to repeat the arguments we made a week ago today on the second reading of Bill 86 and which have been commented upon by my other colleagues today with respect to Bill 86, in relation to the balance on the board between those appointed by council to these police boards and those appointed by the Lieutenant Governor in Council; nor to the second aspect of the bill which goes back to 1979, I believe, when the provision with respect to the mandatory appointment of judges was removed from the Police Act.

Nevertheless, the act is still unclear as to whether or not it is permissible to appoint judges to the police commissions by the Lieutenant Governor in Council. We would, accordingly, move two amendments in committee of the whole House dealing with the balance on the board and to preclude the appointment or renewal of appointments of judges to these police commissions.

Therefore, I need not elaborate upon those arguments. It is our intention on Bill 86, as I indicated, to divide on the three amendments on that bill. We will move the amendments in committee on Bill 87 on two of those points, but we do not propose to divide on Bill 87.

Mr. Swart: Mr. Speaker, if I could very

briefly, I do not want not to repeat any of the arguments I put forward before, but simply would ask the Solicitor General if he will comment, when he rises, on any consultation he has had with the municipal associations since he has been minister about the changing of the composition of the police commission to three elected people. I know, as I stated before, that all kinds of resolution have been passed and it is a matter of great concern.

I would like to know what contact there has been and whether he has been asked to make this change. It is obvious that the municipal associations which had some consultation with him were not aware this bill was coming forward to the point where there would be the opportunity to change it. In making changes in a bill such as this involving all the regional municipalities, did the minister notify the regional municipalities of his intent to make these changes?

Hon. G. W. Taylor: Mr. Speaker, in reply to the member for Welland-Thorold's last comments, it has been a matter of complete knowledge by the Solicitor General, by previous Solicitors General and, I am sure, by many of the members of this House that many of the municipal councillors, the elected municipal people and those who make up the body known as the Association of Municipalities of Ontario have had many resolutions of which I am aware and which they have deposited with me. They are in the archives as well. They have made representations to me that they would prefer and have sought that the majority of members on police commissions be either elected or appointed by municipal councils.

The arguments they have put forward are historical arguments and line up no greater on one side than those who have put forward, as we have done as a government, the position that we should have the three provincial appointments versus the two elected appointments or, as it will be, the potential of having two elected municipal councillors or one elected municipal councillor and one appointed by them, giving the two to three position versus the three to two.

The member for Welland-Thorold asked me what I had done with these pieces of legislation. The intended principles of these particular pieces of legislation were announced by the Minister of Municipal Affairs and Housing (Mr. Bennett) to the last annual conference of the Association of Municipalities of Ontario. I have made the same announcement to the Association of the Governing Police Authorities, as well

as in a press release on the subject. I think most, if not all, of the municipalities would have some knowledge of the intended changes in principle in this piece of legislation. I would hope their knowledge of it would allow them to respond if they so desire.

I have not had any response, but I am sure they would say that goes to the next step. I know it is not what the Association of Municipalities of Ontario desires as its ultimate goal. There is always the argument put forward that they produce more of the dollars and, therefore, they should have a greater say. The other argument always put forward opposite to that is that when one has more elected officials from the municipal area, one will have some political interference, some difficulties and some lack of independence of the police. All those arguments are put forward.

If there is any weight to the argument that because they provide most of the money they should have the greatest number of appointments, I am sure one could point to many boards and commissions—I use the prime example of the numerous hospital boards throughout Ontario—where the province has either none or very few but not the majority of members. Yet they spend millions, indeed billions of dollars, of provincial money where there is no representation. The weight of numbers versus the dollars spent can be lined up and challenged in as many ways as can be put forward in support of the arguments for the changes in the numbers.

There is some consideration to the amend-

ment of the member for Riverdale (Mr. Renwick) that judges be prohibited from sitting on the different boards. That is what the legislation does not do. The amendment I am putting forward no longer requires them to sit. I could tell him—and I am sure he would not be satisfied with it as a provision—that I will not be making any further appointments to those committees by way of judges. I am sure he would rather see it printed because he will say I will be gone next week, the week after, a year after or some time thereafter and thus the policy could change.

I have an amendment, which I am sure will probably meet with his approval, to Bill 87 rather than Bill 86. If it meets with the opposition's approval, it will go a little way to meeting their distance, their philosophy and principle in not having judges appointed to police commissions.

That would be an amendment to Bill 87 whereby no judge or justice of the peace will be appointed to be a member of the board in future, but those who are already on there would be grandfathered. When they come up for reappointment, they would not be reappointed. That allows some flexibility to the particular request they are asking for. I have those amendments and I will have them delivered to the member.

Motion agreed to.

Bill ordered for committee of the whole House.

The House recessed at 6 p.m.

CONTENTS

Tuesday, October 25, 1983

Statements by the ministry

McMurtry, Hon. R. R., Attorney General:

Inflation restraint legislation 2402

Snow, Hon. J. W., Minister of Transportation and Communications:

Uffen commission 2401

Taylor, Hon. G. W., Solicitor General:

Pornographic videotapes 2401

Oral questions

Baetz, Hon. R. C., Minister of Tourism and Recreation:

Visitors' sales tax rebate, Mr. Eakins. 2408

Davis, Hon. W. G., Premier:

Hydro corridor, Mr. Nixon. 2409

McMurtry, Hon. R. R., Attorney General:

Inflation restraint legislation, Mr. Peterson, Mr. Roy. 2403

Inflation restraint legislation, Mr. Rae, Mr. Roy. 2405

Ramsay, Hon. R. H., Minister of Labour:

Port Arthur shipyards, Mr. Hennessy. 2411

St. Michael's Hospital clinic, Mr. Wildman, Mr. Mancini. 2412

Snow, Hon. J. W., Minister of Transportation and Communications:

Trucking industry agreements, Mr. Haggerty. 2413

Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities:

Curriculum guidelines, Mr. Allen, Mr. Bradley. 2410

Sterling, Hon. N. W., Provincial Secretary for Resources Development:

Freedom of information, Mr. Breithaupt. 2412

Welch, Hon. R. S., Deputy Premier and Minister responsible for Women's Issues:

Pornographic videotapes, Mr. Peterson, Mr. Renwick. 2404

Wells, Hon. T. L., Minister of Intergovernmental Affairs/Acting Minister of Health:

AMI (Canada) Ltd., Mr. Rae, Mr. Boudria. 2407

Cochrane health committee, Mr. Cooke. 2409

Petitions

Inflation restraint legislation, Mr. McKessock, Mr. Samis, Mr. Eakins, Ms. Bryden,
Mr. J. A. Reed, Mr. Martel, Mr. Bradley, Mr. Di Santo, Mr. Cunningham, Mr. Grande,
Mr. G. I. Miller, Mr. Mackenzie, Mr. Nixon, Mr. J. M. Johnson, tabled. 2414

First readings

Vital Statistics Amendment Act, Bill 98, Mr. Boudria, agreed to. 2417

Change of Name Amendment Act, Bill 99, Mr. Boudria, agreed to. 2417

Motion

Off-Road Vehicles Act, Mr. Wells, agreed to. 2417

Second readings

Frontier College Act , Bill Pr2, Mrs. Scrivener, agreed to.	2417
Employment Standards Amendment Act , Bill 68, Mr. Ramsay, Mr. Mancini, Mr. Mackenzie, Mr. Renwick, agreed to.	2419
Regional and Metropolitan Municipalities Amendment Act , Bill 86, Mr. G. W. Taylor, Mr. Swart, Mr. Haggerty, Mr. Cassidy, agreed to.	2424
Police Amendment Act , Bill 87, Mr. G. W. Taylor, Mr. Spensieri, Mr. Renwick, Mr. Swart, agreed to.	2438

Third readings

Frontier College Act , Bill Pr2, Mrs. Scrivener, agreed to.	2417
Canadian National Exhibition Association Act , Bill Pr17, Mr. Kells, agreed to.	2417
Family Day Care Services Act , Bill Pr19, Mrs. Scrivener, agreed to.	2417
Institute for Christian Studies Act , Bill Pr21, Mr. Watson, agreed to.	2417
Brockville Young Men's Christian Association/Young Women's Christian Association Act , Bill Pr32, Mr. Runciman, agreed to.	2417
City of Toronto Act , Bill Pr36, Mr. Shymko, agreed to.	2417
New Horizons Day Centre Incorporated Act , Bill Pr38, agreed to.	2419

Other business

Printed Hansard , Mr. Speaker.	2401
Visitors , Mr. Speaker.	2401
Death of member's mother , Mr. Speaker.	2403
AMI (Canada) Ltd. , Mr. Rae.	2414
Recess	2440

SPEAKERS IN THIS ISSUE

- Allen, R. (Hamilton West NDP)
 Baetz, Hon. R. C., Minister of Tourism and Recreation (Ottawa West PC)
 Boudria, D. (Prescott-Russell L)
 Bradley, J. J. (St. Catharines L)
 Breithaupt, J. R. (Kitchener L)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Cassidy, M. (Ottawa Centre NDP)
 Cooke, D. S. (Windsor-Riverside NDP)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
 Davis, Hon. W. G., Premier (Brampton PC)
 Di Santo, O. (Downsview NDP)
 Eakins, J. F. (Victoria-Haliburton L)
 Fish, Hon. S. A., Minister of Citizenship and Culture (St. George PC)
 Grande, T. (Oakwood NDP)
 Grossman, Hon. L. S., Treasurer and Minister of Economics (St. Andrew-St. Patrick PC)
 Haggerty, R. (Erie L)
 Hennessy, M. (Fort William PC)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Kerrio, V. G. (Niagara Falls L)
 Mackenzie, R. W. (Hamilton East NDP)
 Mancini, R. (Essex South L)
 Martel, E. W. (Sudbury East NDP)
 McKessock, R. (Grey L)
 McMurtry, Hon. R. R., Attorney General (Eglinton PC)
 Miller, G. I. (Haldimand-Norfolk L)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Peterson, D. R. (London Centre L)
 Rae, R. K. (York South NDP)
 Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
 Reed, J. A. (Halton-Burlington L)
 Renwick, J. A. (Riverdale NDP)
 Roy, A. J. (Ottawa East L)
 Samis, G. R. (Cornwall NDP)
 Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
 Spensieri, M. A. (Yorkview L)
 Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
 Sterling, Hon. N. W., Provincial Secretary for Resources Development (Carleton-Grenville PC)
 Stokes, J. E. (Lake Nipigon NDP)
 Swart, M. L. (Welland-Thorold NDP)
 Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Van Horne, R. G. (London North L)
 Welch, Hon. R. S., Deputy Premier, Minister responsible for Women's Issues and Minister of Energy (Brock PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
 Wildman, B. (Algoma NDP)
 Wrye, W. M. (Windsor-Sandwich L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Tuesday, October 25, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, October 25, 1983

The House resumed at 8 p.m.
House in committee of supply.

ESTIMATES, MINISTRY OF INTERGOVERNMENTAL AFFAIRS (continued)

Mr. Roy: Mr. Chairman, you would be the first person to be deeply disappointed if you thought I had completed my remarks last Friday.

The Deputy Chairman: I am not sure about that.

Mr. Roy: If you had not expressed disappointment, I am sure the minister would have. After all, he has brought himself quite a heavy stack of reading material; so I gather he is settling in for the evening. We will try, if we can continue with the brief comments he made at—

Hon. Mr. Wells: I've got nowhere to go. I want to read from this book.

Mr. Roy: What is it called?

Hon. Mr. Wells: No Small Measure.

Mr. Roy: No Small Measure. I think that book perhaps would sell better than the one from the minister's colleague, called *A Conservative Canada*, which we now know has been ghost-written by an individual who was receiving quite adequate remuneration on the minister's staff.

Hon. Mr. Wells: On which minister's staff?

Mr. Roy: Does the minister want to discuss the staff of the Provincial Secretary for Justice (Mr. Walker)?

The Deputy Chairman: No. Proceed with your great discussion on the estimates of the Ministry of Intergovernmental Affairs. The minister wants to redirect your efforts.

Mr. Roy: Mr. Chairman, you know me as a flexible individual. I am prepared to tackle any subject or topic the minister wants to deviate to. I am quite prepared to carry on with these estimates.

If I may, I want to make a few more brief remarks on what I thought was an unfortunate comparison the minister made when we were discussing the question of constitutional entrenchment in this province of French-language services. The minister had given Manitoba as an example of what can happen if an issue is not

properly treated or if a subject such as provision of French-language services is not implemented in a rational fashion. I take it that is what the minister intended as the example he wished Ontario to avoid.

I quite agree with him, but the minister will understand that in Manitoba we have a very different situation. In fairness to the present administration of Manitoba, and I think the record should show this, it is facing a situation where there are court decisions and there probably will be further court decisions showing that when the province of Manitoba, through its Legislature, attempted in 1890 to abolish all French-language education or all French-language use in the Legislature and elsewhere, the Supreme Court of Canada ruled that was invalid.

Manitoba is facing a situation where, for all intents and purposes and from a practical point of view, all of its laws passed since 1890 can be declared invalid by the Supreme Court of Canada because they were passed subject to legislation that the Supreme Court of Canada has said is invalid.

Given that situation, one can understand that the government of Manitoba is facing absolute chaos. The present administration in Manitoba, given that situation and given the ultimatum for all intents and purposes by the Supreme Court of Canada, is attempting to implement a situation or a practical program whereby it can phase in French-language services at various levels in a sort of practical manner.

What has happened is that after the agreement had been reached by the Manitoba government and the Franco-Manitoba Association, and this agreement was brought before the Legislature, the Conservative opposition in that province, led by Sterling Lyon, has tried to exploit this agreement for political reasons. It has forced the government into a situation where, for all intents and purposes, meetings are being held across Manitoba. At those meetings, a lot of people who are in opposition are taking advantage of the meetings, and the opposition is taking advantage of the situation to make political points. It has become a very divisive situation.

To further complicate matters, unfortunately,

in Manitoba one is into a situation where every municipality has got involved in a referendum on the issue. If there is anything more undermining of minority rights, it is to get involved in a referendum type of situation for these rights, especially when the question in Manitoba is as convoluted as the present question is.

The question in Manitoba is so convoluted that even some of the leaders of the Franco-Manitoba Association are going to be voting against the proposition. Unfortunately, in Manitoba, when the results of the referendum come out in a few days, the government is going to have a situation where probably 75 per cent of the people will have voted "no." In that 75 per cent it is going to have some of the leaders of the Franco-Manitoba Association who feel that to achieve their ends they will have to vote "no" to that question.

It is a very sad situation in Manitoba. I agree with the minister that in this province we should avoid the turmoil that Manitoba has. But I want to make a simple proposition to the minister. Is there any opposition party here, or any opposition leader, who is prepared to exploit advancement of the initiatives taken by the government for political purposes? I think the minister will have to admit that is not the case. We are not involved in a referendum situation.

What many of us are proposing, and what I propose in my resolution, is that where the government is currently providing services, where the services can be adequately given, it should give constitutional guarantees in those areas. That is why I propose guarantees in the area of the Legislature, education, courts, justice and government services where there is sufficient demand. It seems to me that is a reasonable proposition and certainly is not one that is liable to divide the province, as the minister has suggested.

M. le Président, j'aimerais dire quelques mots en français, parce que je suis convaincu que vous seriez extrêmement déçu si je faisais mes commentaires uniquement dans une des langues officielles. Alors je vais dire quelques mots en français.

M. le Président, je fais des commentaires sur les estimés de ce ministère ici. Et notons qu'on fait face ici à un ministre et à un ministère qui tout de même ont montré de la sympathie envers les Franco-Ontariens et envers les initiatives visant à donner des services aux Français en Ontario.

J'ai été extrêmement déçu de l'attitude du gouvernement durant les dernières semaines,

durant le dernier mois. Je trouve que le gouvernement et que le ministre en question ont pris une attitude qui n'a pas évolué à toute fin pratique depuis 1975. Et je crois que souvent le gouvernement, le Premier Ministre ou même le ministre ici en question jugent que les gens de l'Ontario ne sont pas prêts à montrer énormément de souplesse, montrer sur certains points énormément de compréhension sur le fait français ici en Ontario. Et je trouve, M. le Président ...

Interjections.

The Deputy Chairman: Order.

M. Roy: A l'ordre M. Samis. A l'ordre. Le député de Cornwall, je crois.

Puis je voudrais dire à mon collègue M. Samis que, quand il mentionne le député de London, le chef de notre parti, que franchement de votre côté vous avez pris une attitude ...

8:10 p.m.

Interjections.

The Deputy Chairman: Order. You are interrupting the speech. I am taking French lessons, and I am enjoying it.

M. Roy: C'est exactement ce dont je parle, M. le Président. Je parle de ces estimés ici. Mais ce que j'essaie de dire au député de Cornwall, c'est que, quand il fait des commentaires cyniques envers mon collègue, le chef de l'opposition, il manque un peu de compréhension. Depuis 75 ...

Interjection.

Mr. Kerrio: You should have heard what he said about you.

The Deputy Chairman: I understand him for a change. Now you be quiet.

M. Roy: 75, M. le Président, que je siége avec mon collègue, le député de London et celui-ci a toujours montré énormément de compréhension sur le fait français en Ontario. Il n'y a pas de question là-dessus. Celui-ci a montré énormément de sympathie et de compréhension. Et malheureusement ... dernièrement encore, la presse canadienne a manqué de compréhension et a jusqu'à un certain point faussé la position du Parti libéral sur le fait français ici en Ontario. Et je voudrais mettre ça aux dossiers. Je suis convaincu que le ministre en question comprend que je suis fatigué de lui expliquer ... Et la position du chef de l'opposition, M. le Président ... Je ne sais pas si on doit vous appeler M. le Président ou M. l'Orateur ... Non ce n'est pas l'Orateur.

M. le Président, la position que je vais vous expliquer est simplement celle ici. C'est que le

député de London a dit clairement que sa position personnelle est qu'il est en faveur des garanties conditionnelles pour les Franco-Ontariens ici en Ontario. Il l'a dit, il l'a répété à maintes reprises. Mais la situation, M. le Président, est celle-ci: c'est qu'on va essayer de travailler ensemble; et mon collègue, le député de London, est convaincu qu'on ne peut pas avancer la cause si on commence à faire de la "politiquaillerie", où ça devient une question d'élection générale et même une question d'élection partielle. Il y en a eu des exemples en 1980?

Interjection.

M. Roy: Alors M. le Président, mon collègue a invité les chefs des trois partis politiques, ici en Chambre, à prendre l'initiative et à montrer à la Chambre des Communes, par les chefs au national, et à essayer de présenter une position qui ne serait pas partisane, une position qui aurait l'acceptation des trois partis politiques et de tous les députés en Chambre. Malheureusement, le chef du gouvernement, le Premier Ministre, a refusé cette invitation-là et je peux vous dire maintenant ... pas partisane, une position qui aurait l'acceptation des trois partis politiques et de tous les députés en Chambre. Malheureusement, le chef du gouvernement, le Premier Ministre, a refusé cette invitation-là et je peux vous dire maintenant ...

Interjection.

M. Roy: ... Bien, le chef du NPD, je ne peux pas vraiment critiquer la position du NPD parce que franchement le NPD a pris une position sur laquelle je suis d'accord. Il n'y a aucun problème là-dessus. Mais ce que je veux dire clairement, M. le Président ...

Mr. G. I. Miller: Will somebody translate this for me?

Mr. Breaugh: Later. As always, later.

Mr. Roy: We will give the member who is interested in understanding every word I have just said a full translation of the speech.

The Deputy Chairman: Carry on. Please do not allow these interruptions.

M. Roy: Si je peux compléter ma pensée sur ce point, c'est que le Parti libéral a l'intention de continuer à appuyer toutes les initiatives prises par le gouvernement et même si on peut arriver à un consensus ici, mon collègue et moi-même le député de Prescott-Russell avec mes autres collègues ... parce qu'en grande majorité je peux vous dire, M. le Président, que mes

collègues au sein du caucus ont évolué énormément sur cette question et demandent énormément de compréhension. Et mes collègues du NDP et mon collègue Samis de Cornwall ... Attendez un peu ... On va présenter une résolution qui va vous donner l'opportunité, de votre côté, d'appuyer une position qu'on considère très logique et une position qui peut garantir, on a l'espoir, M. le Président, les droits des Franco-Ontariens dans une nouvelle constitution. On espère arriver à cette évolution-là non d'une façon partisane, mais avec l'appui de la plus grande majorité des députés possible, ici en Chambre. Et je crois que de cette façon-là, on peut accomplir quelque chose de concret ... mais pas avec des divisions politiques et des chicanes politiques.

Alors, si je peux reprendre ma critique de la position du ministre sur ce fait-là, je voudrais que le ministre considère ... et je regarde ses conseillers sous la galerie ici, ce soir, des gens qui ont énormément de compréhension, qui comprennent le problème et qui peuvent donner des avis au ministre. Je crois, et je vous dis ça simplement M. le ministre, que vous êtes un peu trop paranoïaque sur la question du ressac anglophone ici dans la province. Et je suis convaincu qu'avec un peu de compréhension et un peu de flexibilité, on peut faire avancer ce dossier-là d'une façon pas mal plus concrète que dans le passé. Je peux vous dire que si on voulait travailler ensemble ... Vous savez que chaque initiative que vous avez prise a toujours été appuyée par le Parti libéral et par les autres partis de l'opposition. Alors prenez l'initiative ou si vous ne voulez pas prendre l'initiative, tout du moins donnez votre appui à certaines initiatives qui sont proposées par certains députés ici.

Mr. Chairman, the opening comments in the minister's speech put forth some very interesting initiatives. He surprised me by going further than I thought a member of that government would go in proposing some constitutional amendments. I do not want to put words in his mouth, but as I recall his speech he said he feels amendments to the Senate really are counter-productive. It was something to the effect that to make progress in our representations, we should not be looking at the Senate.

For all intents and purposes, the minister suggests that we abolish the Senate, as I understand his comments. I have some sympathy with that position. If we are going to talk about reforming the Senate—God knows we have been talking about it long enough and we have seen very little progress in that area—are we

able to make real progress when there is division within the Senate?

Mr. Stokes: What on earth would you do with defeated Liberal candidates?

Mr. Roy: Where would we put defeated Liberals? I say to my friend, do not worry. The Tories here have no Senate, but they have what is called the Ontario Municipal Board and many other offices. The New Democratic Party government in Manitoba has all sorts of places for worn-out NDPers. The former NDP government in Saskatchewan also had them. I know a place can always be found for a used tire—for someone who has given to the cause. I would not worry about that.

I am one Liberal who feels that an institution as important as the Senate was intended to be should have another purpose than being a repository for people who have served whichever party in whatever capacity. I would not have much difficulty in supporting a proposal by the minister to abolish the Senate. If we are talking about giving this country adequate proportional representation, the minister may be quite right that the way to do it is through the House of Commons and not through the Senate.

Mr. Breaugh: What are you going to do with Bob Nixon?

Mr. Roy: More power to the member for Brant-Oxford-Norfolk (Mr. Nixon), I say. He would make an excellent senator. He is the type of person—

Mr. Samis: I've heard them say that about you.

Mr. Roy: We have certain institutions; if we are going to send people there, let us send good ones. But some of us have differences of opinion over whether the institution itself is serving a useful purpose. I have no doubt that my colleague the member for Brant-Oxford-Norfolk would serve the public well in any capacity.

8:20 p.m.

I know he would like to be on the bench. Now, there is frustration. He would like to be on the bench and he will never make that. His doctor of laws, his *honoris causa*, is not sufficient to get him a judicial appointment. Unfortunately, he will not make it there.

I have no doubt my colleague would serve the public in any capacity, as he has done for so many years from this assembly. I say to the minister, if initiatives are to be taken, and I would like to see more initiatives on the part of the government about giving proportional rep-

resentation through the House of Commons, I think we would have no difficulty supporting this.

We find some of these initiatives or thoughts the minister has put down on paper and has given us in the opening comments are very interesting. I say, rev up the boys out there in federal-provincial relations, get the crew going. It shows that the Minister of Education (Miss Stephenson) and some of the other guys are thinking; that is good. Let us get more of these initiatives and the government will receive the support of some of us.

The minister's comment about a council of Canada is another interesting proposition. It reflects basically what is happening out there, that much of the action involving the governing of this country is not taking place in the House of Commons or in the Senate for that matter, but is actually taking place at federal-provincial conferences where the Prime Minister and the leaders of the other provinces get together.

To have a formal structure where these people are meeting on a regular basis, with the participation of other people, is again an interesting proposition and is something that reflects what is taking place in this country. We have no difficulty supporting this.

M. le Président, j'aimerais revenir sur deux autres points que je voudrais mentionner au ministre avant d'abandonner ce sujet. Je crois que le ministre devrait parler à son collègue, le ministre de l'Éducation, parce que le ministre de l'Éducation montre un manque de compréhension sur le système scolaire dans la province. Cela fait dix ans que j'écoute toutes sortes de propositions pour nommer des conseillers scolaires, pour mieux représenter les francophones... on propose toutes sortes de formules; il y en a qui sont plus niaiseuses que d'autres. Mais toutes les formules, d'une façon ou d'une autre, ne fonctionnent pas, ne marchent pas. Et la dernière formule qui a été proposée par le ministre a été rejetée par tous les conseils scolaires. Je regarde mon collègue, le membre de Prescott-Russell, dans son comté. Et je crois que cette formule-là rendrait les anglophones majoritaires au conseil scolaire, et peut-être dans d'autres conseils scolaires, ça rendrait les francophones peut-être d'une façon injuste majoritaires dans leurs conseils scolaires.

De toute façon, je propose au ministre qu'il emploie des formules plus pratiques que toutes les formules qui ont été proposées par le ministre. Et je lui demande enfin de donner considération et de parler à son collègue... la solution dans

un secteur comme Ottawa-Carlton qui est un conseil homogène de langue française . . . Cette proposition-là est tellement logique, elle a été acceptée par tout le monde. Alors, M. le Président, pourquoi que le gouvernement s'est-il acharné, obsédé à refuser ça?

M. Le Président, je voudrais dire aussi . . . je vois mon collègue, le ministre de l'Industrie qui vient de revenir d'un voyage et je voudrais lui souhaiter la bienvenue, le féliciter de son voyage, apparemment c'était très plaisant. Nous sommes contents de te voir, que tu sois revenu avant les fêtes, avant NoOn pensait qu'on ne te verrait plus, on s'ennuyait. Et on est heureux de te voir revenu sain et sauf.

Alors, M. le Président, si je pouvais dire: Pour l'amour de Dieu, M. le ministre, et je dis ça à vos collègues à la tribune, parlez au ministre de l'Éducation et dites-lui donc que la solution pour Ottawa-Carlton, ce n'est pas cette situation d'avoir un conseiller scolaire de plus ou de moins et puis de jouer un jeu de cartes, en mettre un ici puis en enlever un là. La solution pour Ottawa-Carlton, je vous l'ai dit à maintes reprises, non simplement pour les francophones d'Ottawa-Carlton, mais pour tout le conseil d'Ottawa-Carlton, est la suivante: il devrait y avoir un conseil des écoles publiques, un conseil des écoles séparées anglophone, puis un conseil francophone, un conseil homogène de langue française. C'est ça la solution pour Ottawa-Carlton.

Alors avec un début comme ça, vous pourriez acquérir de l'expérience à Ottawa-Carlton; voir si ça fonctionne. Cela pourra vous aider, peut-être, à voir des solutions plus pratiques dans d'autres conseils scolaires. Mais cette obsession . . . 1 Bonjour, ça fait toujours plaisir, M. le Président, de souhaiter la bienvenue à mon collègue le ministre "Neige", Jacques Neige . . . on comprend son nom en français. Ça fait plaisir de vous voir M. le ministre, vous avez l'air en grande forme ce soir, mais je pense, M. le ministre Neige, que vous devriez trouver l'occasion de faire un beau voyage comme celui que le ministre de l'Industrie et du Commerce vient de faire. Vous méritez ça, un voyage, vous aussi.

The Deputy Chairman: The honourable member should be speaking to the Minister of Intergovernmental Affairs (Mr. Wells). Do not be diverted by one of the honourable members of the third party.

Interjections.

The Deputy Chairman: Carry on. Please do not allow these interruptions to divert you.

Hon. Mr. Snow: Tell me what you are saying.

Mr. Roy: I was just saying, looking at the happy disposition of the Minister of Industry and Trade (Mr. F. S. Miller), that I think he deserves a trip like that as well. I think he should go on a little trip.

Mr. Boudria: Take a trip on the Queensway, Jim.

Mr. Roy: If you do take a trip, do not start on the Queensway. You will never get off the ground. Stay away from that place.

If I could just complete my remarks and make another suggestion to the Minister of Intergovernmental Affairs (Mr. Wells), there is going to be a lot of action next year in Ontario involving what he calls the bicentennial. I do not know if the minister has talked to his colleagues in cabinet, but he blew that one. If he was not throwing money around to get every municipality to jump aboard—if he wants to celebrate a particular event in the province, that is fine. If he wants to celebrate the arrival of a particular group in Ontario, that is fine and that is deserving, whether it is one group or another. I think all Ontarians should be pleased about the origins of this province.

But in the process, I think it is unfortunate that the government, and I think the minister understands that, may have lacked a bit in sensitivity to the history of this province and the contribution made by other groups in the province.

The bicentennial has caused a lot of concern and cynicism. I get municipalities in Ottawa-Carlton asking: "Bicentennial of what? Is that the bicentennial of the province or the bicentennial of a particular group that arrived 200 years ago or what?" By calling it "bicentennial of Ontario," there is the inference that we are celebrating 200 years since the start of this province, which is wrong. It is contrary to the facts and to the history of this province.

If we are celebrating the arrival of a particular group 200 years ago, that is fine. Let us celebrate that, and let us call the celebrations the bicentennial of the arrival of a particular group. That is fine, and it is being pursued as that in many municipalities. In Ottawa-Carlton the name caused all sorts of divisions. People were thinking, "Do we take the money or do we not take the money?" Of course, everybody needs the money today, so they all took the money, and they said: "We will call it what the hell we want.

Give us the money." Even Vanier and other municipalities said: "It is very offensive, this particular celebration. It lacks sensitivity. But they are giving us \$10,000. We will take it. We need the dough. We do not get enough money from Queen's Park." So they took it.

I think the minister and his ministry in charge of French-language services and the people here at Queen's Park might have been far more sensitive to what might be offensive about this particular initiative. In Gloucester the other day, I was reading a comment about two francophone—

Hon. Mr. Wells: I have my bicentennial button.

8:30 p.m.

Mr. Roy: He has the button. It is obvious that—

Mr. Boudria: Don't ask me to wear it.

Mr. Roy: No, we will not.

Hon. Mr. Wells: Oh, come on, you will be wearing it next year too, I'll bet you.

Mr. Roy: His principles may be facile. Some of us are not. I say to the minister, as one who is perceived—

Interjections.

Mr. Roy: I am reading from a press clipping from the city of Gloucester just last week. Two francophone aldermen were on different sides of the issue. Alderman Eugène Bellemare is offended by this. He says, "I am not going to celebrate the bicentennial."

The clipping says: "Le conseiller Eugène Bellemare n'a pas l'intention de participer aux fêtes du bicentenaire de l'Ontario et même d'endosser un projet de la municipalité dans le cadre des célébrations de 1984.

"Lorsque la question est venue sur la table des élus de Gloucester, hier, lors d'une réunion du conseil, M. Bellemare en a profité pour rappeler quelques faits historiques"—it is always the same thing, what happened in the history of this province.

"1984 ne marque pas le bicentenaire de la province. L'arrivée des Loyalistes en Ontario n'est pas synonyme de fondation de la province."

That is the way the francophone community feels about the issue, that to take that particular approach and not have more sensitivity about the history of this province about those who contributed to the original founding of the province and about their participation since that time, lacks some sensitivity.

In Ottawa-Carleton there is a pleasant young

lady in charge of the program. I think her name is Mlle Francine Lévesque. Given half a chance the program will likely be a success in spite of the minister's misguided intentions in this process. We have this type of debate in every municipality.

There is another councillor by the name of Royal Galipeau on the same council. He does not want to offend anybody. He says, "We will take the money, we will celebrate and we will have a good time." That is the attitude taken by many municipalities. I say to the minister—and he may relate it to the former minister in charge of the celebration—it seems to me the government got itself into a situation where there may have been some problems in acceptance of this. That is why it put money out there. Now everybody will get on the bandwagon to get some money.

Not only has this caused controversy in Ottawa-Carleton, but the other day in one of the municipalities of Toronto—

Mr. Boudria: Scarborough.

Mr. Roy: —Scarborough—one of the councillors said again—what was his name?

Mr. Boudria: Frank Faubert.

Mr. Roy: Frank Faubert mentioned the same thing. I say to the minister it is his job—

Hon. Mr. Wells: It is only Liberals who mention that.

Mr. Roy: It is not only Liberals. Ask the member for Cornwall (Mr. Samis) if he agrees with the minister's proposition on the bicentennial. Is the member going to comment later? I know some people accuse him of being a Liberal, but not going that far.

Mr. Samis: Mr. Chairman, the member can say whatever he wants, but that was a grievously low blow and I would ask him to retract it immediately.

Interjection.

Mr. Deputy Chairman: I think that is a very serious allegation by the member for Cornwall.

Mr. Roy: I really intended to compliment the member.

The Deputy Chairman: In that case, I accept that as a withdrawal.

Mr. Roy: I do want to say to the minister that he knows better. He should have more sensitivity. When some of his more rambunctious colleagues—and this happens often in Toronto—get going and do not understand what may be wrong about a particular program, he should be right there and say: "Hey, hold on a minute. Do

you realize what you are doing?" He should get to it before they get carried away, before they print the buttons and before they put the minister into a situation where he has to get in step and march along with the rest of the troops. That is his job and I think people within his ministry should be alert about that. It may be he is going to have to talk louder to some of the people at le Conseil des affaires franco-ontariennes.

It may be he is going to have to talk to the chairman and say, "Roger, keep me on top of this thing." I do not want to be too nasty to Roger, but on this particular issue of the bicentennial he was slow off the mark. His gun stayed in his holster a bit too long.

I say to the minister, that is his job. He has to be more alert and I would hope that in the future we do not get ourselves in a situation like this. When we celebrate something, we should celebrate it together and not have a situation where a particular occasion or festivity is a source of divisiveness instead of a source of unity in the province.

Having made these comments, I relinquish the floor to some of my colleagues who I am sure have constructive comments to make. I hope as the debate proceeds to get an additional opportunity to speak with the minister about some of the concerns we have.

I thank him for the opportunity and I hope the minister will understand that some of the comments we make here are made with sincerity in the hope of being productive and positive about the operation of his ministry in the future.

Mr. Breaugh: Mr. Chairman, this is a bit of an unusual ministry to try to follow, because in many respects it does not do what other ministries in the government do. There is not a great flow of legislation from the minister. In fact, there is not really a great number of statements made by the minister to the House. It is sometimes difficult to track exactly what the Minister of Intergovernmental Affairs and the whole ministry do in this province.

One of the things of concern to me is that in attempting to determine whether it does a good job or a bad job, or whether it is effective at doing all the things it purports to do and in fact trying to get a handle on what it is this ministry purports to do, is not easy. In part, I suppose the difficulty is that the minister himself, although he is always present at first ministers' conferences and the conferences on the Constitution, has a tendency to play a supportive role rather than a dominant role.

That is to be expected, because very often when Ontario wants a front-line position at a first ministers' conference, it is the first minister who takes that initiative. It is the Premier of Ontario (Mr. Davis) who makes the formal statements. Quite often, in order to grasp where the minister himself might be, one kind of has to rely on a copy of a speech that was delivered from Chicago, Edmonton or some other place.

This session is a bit unusual because it kind of got started by this minister proposing a resolution on aboriginal rights, a proposed amendment to the Canadian Constitution. It is not too often that the House has an opportunity to debate a resolution put forward by the minister in that capacity.

On the couple of occasions I can recall offhand, I must say the debates have tended to be of a rather high calibre for some reason. I do not know whether the minister inspires the members to drop some of the partisan shots they take from time to time and take the high road, but I seem to recall that on two occasions now—when we had a debate on the constitutional resolution that was put forward by the minister and again in the beginning of this session when we had a debate on the resolution on aboriginal people—one of the things that stuck in my mind was that the minister seems to have put before the House something which made the members take a slightly different tone in their debate. Perhaps members realized that the matters put before the Legislature by the minister were extremely important ones and also ones that were rather sensitive in nature.

8:40 p.m.

It is not easy to follow the work of the ministry. In part, another aspect that has to be addressed is that a lot of the ministry's work is in briefing sessions, exchanges of information, setting up itineraries as the ministers travel around the world, seeing that protocol is observed and that the ministers are well briefed and have proper information on sensitive conditions they might not normally be familiar with.

Another part of the problem is that many of the offices the ministry operates are not in this province. They are in other parts of the world, in the United States. We have no way to measure whether the office in London, Brussels or anywhere in the United States is doing a good job.

Occasionally, we get press reports that one of the agents general made a statement or came back home to make a speech, but in terms of trying to estimate whether an expenditure of

money is a sensible one, whether an office has problems or works well, there is no way I know of to monitor the situation.

If the minister wanted us to be well informed on the matter, he would organize—the opposition critics I am sure would be prepared to take on the duty of touring these offices to see whether they were effective operations.

Mr. Boudria: If he twists your arm.

Mr. Breagh: It is a little difficult. It is tough to try to examine—

Mr. Roy: It's a dirty job but somebody has to do it.

Mr. Boudria: Frank Miller knows.

Mr. Breagh: It is a tough job. When I had the opportunity to visit Ontario House in London, for example, on other business, we happened to drop in there. I talked to staff for a while to determine what these people do in London, England. What is the purpose of Ontario House there? What is the function of their jobs? Exactly on a day-by-day basis, do they do something good for the people of Ontario? It is difficult, even when talking face to face with the staff, to determine what they do.

One is told with amazing regularity that they do good things. They brief everybody, they keep everybody informed, they welcome touring politicians, they represent the province, they participate in trade fairs and make business contacts and all of that. But those are all elusive things.

The work of the ministry in many ways is an elusive pursuit. It is not a mechanical ministry, as some others might be, of building roads or transferring funds to municipalities or providing specific policies. This is a ministry that is very much generalist in nature.

One of the things I welcomed was the edition, which arrived at my desk last week, called Ontario's International Relations: A Perspective, 1982-83. This attempts to nail down all the things the ministry does. When we get into the text of the material, it is quite surprising the work being done by the ministry, which in Ontario has a very low profile. In other parts of the world, according to this brief, it has a much higher profile. I thought some of the things the ministry purports to do were interesting, some of which are of rather great concern to members of the Legislature.

One of the comments made by the ministry in its report is: "The Ontario government has also sought improved bilateral relations with major

auto-producing countries—the US, Japan and the European community . . ."

It does not tell us how the government of Ontario is doing that. It states a rather noble goal and goes on to say: "However the province continues to support restrictions on the number of cars imported into Ontario, as well as to require that vehicle manufacturers meet conditions similar to those imposed under the auto pact, in order to allow Ontario's industry time to adjust."

What I found a little remarkable about that assessment is that it is not common knowledge, I will bet, that that is the position of the government of Ontario. These are things not stated as regularly as we would like them. It is sometimes rather difficult to pin down exactly what Ontario's position is on things like trade restrictions with Japan on automobiles. I have noticed the Premier (Mr. Davis) on one or two occasions each year works that into his speech somehow but does not get very definitive on it. It is useful to read this document to find out exactly what Ontario's position is.

For example, though I know the Premier of Ontario supports the task force report that was presented to the federal government on the auto industry in North America, I am not sure very many Ontario citizens understand that the Premier has endorsed that task force. Perhaps there is a little bit of slippage in a system that allows the official government position on a matter which is that important to go almost unrecognized.

There is another interesting section in here where they are commenting basically on issues. For example, on the matter of acid rain, they state: "Ontario is, therefore, working to educate American interest groups, who are potential allies, about the nature of the problem." It does not really say who these people are or in what way the government of Ontario is attempting to influence or join with them or share information with them.

That was the purpose of a recent trip I was on to Washington, but very few people I met on Capitol Hill were aware of that exercise. There may be a bit of a slip between what this government's intention is and what actually happened.

Another interesting little fact quoted in this document occurred in a section commenting on the production of electricity. It referred particularly to the sale by Ontario Hydro to the United States of excess capacity—perhaps "excess" is not the proper way to describe it. I think a couple of things are worth noting here: "The

northeastern US could run short of electricity within a decade due to its shift away from the use of oil, and public opposition to nuclear plants."

First, I am not too sure who made the assessment about the northeastern US running short of electricity; I certainly have not heard that from an American source. Second, I think it is interesting to note the recognition of public opposition in the United States to nuclear plants by stopping their construction.

Of the information I have read, there are a lot of other arguments than just public opposition to nuclear plants in the United States, such as the economics of it all. The Tennessee Valley Authority, for example, decided there were better and cheaper ways of producing electric energy than by nuclear plants. It is interesting to note the kind of built-in recognition here that what is unacceptable in the United States is happening in Ontario.

Here is another thing I noted in this part which I thought was interesting: "The main impediment to dedicated nuclear plants is uncertainty about how the US will respond: The United States might act to protect its own electrical power industry." If that is the case—and that is the position put forward by the Ministry of Intergovernmental Affairs—perhaps somebody in the ministry ought to inform Ontario Hydro. That body, for one, seems to be totally unaware there may be some impediment in the flow of electric energy across the border into the United States.

On a less glamorous and less expensive note, there is an indication in here of another problem which has been related to me by local truckers. They tell me American trucking companies are attempting to gain access to Canadian cities on their routes, but the process has been slow and cumbersome since licences in Canada are issued by the provinces. That is one aspect of the difficulty some trucking companies face in getting operational. However, this document seems to ignore that there is a trend on the part of large American trucking firms to buy out Canadian trucking firms.

It seems to me they have found a way around what is stated in here to be a bit of an impediment. At any rate, I thought it was a useful exercise to put the document together and to make the members familiar with the operations of the ministry. I think, if anything, it ought to give members an opportunity to establish clearly that this ministry might have a rather low profile in Ontario but it has connections around the

world. It represents this province around the world and, in fact, is a very active ministry, although it does not do it in what we might consider the normal way of most ministries.

One thing I wanted to do at the beginning of my critique this evening was to talk a little bit about some of the things the minister said in his opening remarks. I think they are worthy of some comment. All of what the minister had to say had an air of "good times are coming." If I may quote a little bit, he said, "The mood among governments and among Canadians is promising." That is his opinion of the atmosphere in Canada right now. I would have to caution the minister that I am not so sure most Canadians feel the mood is promising. I remain unconvinced that most provincial governments in Canada or, indeed the federal government, feel the same sentiment he does.

8:50 p.m.

In trying to be a little more realistic about it, I sense that most Canadians feel there are still a lot of problems about in the land that have to be resolved, and that is just not happening. In his speech, one of his secondary issues—not secondary, but in order of priority he placed it in a kind of a secondary manner—was trying to deal with the separatist policies of the present government of Quebec. He points out that they have worked hard to maintain and improve lines of communication between cabinet ministers and officials in both provinces, in addition to the consultation arising through regular federal-provincial and interprovincial conferences.

At certain levels there may be some consultation going on, but I would have to point out that there is a great deal more that could be done. One of the things I have always felt in a personal sense should happen more often is that ordinary members of this Legislature ought to try to get some grasp of the political process in Quebec. That is not easy. There is a language problem. There is a history of government that is different from the history of government in Ontario.

If I may say so, sometimes the current Premier of Quebec is painted as a not-too-friendly person who is a separatist by nature and who holds views that are vastly different from a lot of other people in Quebec. From my experience in talking to members of all political parties of the Quebec National Assembly, one could take a member of that assembly from any political party and say virtually the same thing. There are members in all parties in the Quebec National Assembly who believe very strongly that Quebec is a nation unto itself. It is called the

National Assembly; it always has been and probably always will be, although there are distinctions to be made among the political parties in Quebec in their definitions of separation or of the development of the nation of Quebec or of the French fact.

Most ordinary Canadians, if they talk to a Liberal in Quebec, whether they do that privately or publicly in terms of the Liberal Party of Quebec, really have to work at it to make the distinction among the political parties in Quebec. There is a strong feeling of nationalism, of some kind of sovereignty there. That realization perhaps does not hit home to members of this assembly because we do not have very much of an ongoing relationship with the National Assembly of Quebec.

Quite frankly, I think this Legislature would be well served by more ongoing connections with that assembly and with other assemblies across Canada, whether talking about common legislative approaches to particular problems or talking about the development of policies dealing with provincial difficulties that may have national implications. I think such a relationship with other provinces, and particularly with Quebec, ought to be extended on a far more regular basis to far more people.

One of the difficulties we get into in here is that there is a form of protocol involved. The Premier of Ontario speaks, in a sense, for the government of Ontario and the Premier of Quebec speaks for the government of Quebec. That is not to say there are not a whole lot of nuances of feelings, sentiments and opinions that ought to be shared and ought to form an ongoing relationship between the two largest provinces in the country, at least in terms of population.

More than just having staff talk to one another, it strikes me that on an ongoing basis there is a need to have members of this assembly do that, and there is a need to establish links that are used on a regular basis rather than links that are just celebrated from time to time. I was reminded of that not very long ago when we had the Ontario Status of Women Council before the standing committee on procedural affairs.

For example, we asked them what they had done about equal pay for work of equal value and whether they had studied what had transpired in Quebec. They admitted they were having great difficulty getting much of an assessment of the Quebec program and that they had not been terribly successful even at getting information, let alone making observations, at first hand.

I think that is an area which needs to be explored in a serious way, in a formal way, more formal than we now have. As have some other members of the Legislature here, I have had the opportunity on several occasions to talk to and meet legislators from other provinces. I have been taken aback on occasion by, for example, legislators from Alberta and their views towards eastern Canada because it is not something I have to deal with on a regular, ongoing basis.

It became apparent to me that we were kind of sharing ignorance. I did not know very much about Alberta and they did not know very much about Ontario. After we found some initial arguments over energy policies and things of that nature, it also became apparent that after a while the differences were not really that great. However, the initial impressions were that there were a lot of differences between Alberta and Ontario—things that should be resolved, things that, in fact, were resolved over a rather lengthy discussion or two. I think those things need to be done.

One of the things the Minister of Intergovernmental Affairs does from time to time is to make statements—usually not here, but in Edmonton, Chicago or somewhere else—that are a little different from what most of us perceive government policy to be. I notice that he does not back away from things as well. One of the things I did notice was that, prior to his opening remarks today, he simply said: "In our new Constitution we clearly recognize that Canada is a bilingual and multicultural nation." A little further on in his speech he went on to say it in a slightly different way.

Again, it is sometimes difficult to pick up the nuances of all of this. We have a minister whose opening statement here, and he has said it on other occasions in other places, recognizes that the nation is bilingual. He says "we"—I take it he means "we" in the sense of the government of Ontario—recognizing that we move in a country which has two official languages. Yet in the Legislature and down the streets of Ontario, we continue to have an ongoing discussion about entrenchment and whether that should or should not be done.

If one listens to the Premier, I hear him saying fairly regularly in question period, in response to remarks made elsewhere, that the Premier of Ontario believes we are not about to entrench French language rights in the Constitution. This minister seems to feel, on several occasions now, that it would be a good idea, that it may be

just a matter of time or approach, but it should be done.

There are a couple of other things I thought were worth noting. He makes a comment about the present government of Quebec being committed to an option of political independence and being committed to campaigning in the next election on the question of Quebec's separation from Canada. From what I have read in recent months from the Premier of Quebec, I am not terribly sure that this is exactly accurate. However, it was interesting that this is his observation of the current government of Quebec, that there has been no change from previous policies despite a referendum on the matter, despite what I read to be some alterations of policy on their part.

As a matter of fact, in his opening remarks—I was mentioning the minister's personal position hangup on the matter of entrenching rights—he says on page 9 of his speech: "After all, the multicultural nature of Canada is entrenched in our Constitution. Therefore, I suggest that our English-French duality should likewise be entrenched." That is about as close as I have seen any minister of the crown get to actually saying he believes in the entrenchment of francophone rights by Ontario.

There were a couple of other things I thought were interesting to note. In his opening remarks about the country, regional differences and intergovernmental conflicts, frankly, I was rather pleased to see he had taken a position that we have put forward for some time about the Canadian Senate, vis-à-vis to find some alternative to that. In fact, I cannot recall whether he has said it on other occasions, but this is the first occasion when I have heard this minister say that the Senate ought to be abolished.

He goes on to put forth a rather unclear concept about the council in the sense that there is not a great deal of detail as to what he is proposing in this council of Canada or council of the federation, except he says there will be some appropriate participation by first ministers, by cabinet ministers and by other elected members from two levels of government.

9 p.m.

I am not particularly an advocate of this council of Canada concept, but I point out that one of the things which poses a bit of a problem when the governments of Canada get together is that very often there is a position put forward by the government—that is to say, the Premier or someone representing the government of Ontario will put forward a position—which is

accepted as the formal position of Ontario. I think it would also be a reasonable idea for the minister to suggest that on many of these occasions this would be a particularly appropriate place to involve, in some sense, members of the Legislature other than his own staff and people who might be there from other ministries.

In other words, I think the province would be reasonably well served on certain matters by providing representation from all three parties in this Legislature when we are dealing with other provinces and perhaps even with the federal government. I think there would be a useful exchange of information. I think even opposition members would serve some useful purpose to government in trying to learn all about the problems and to establish perhaps where the province ought to go.

I put that idea forward because of the example of the resolution on aboriginal rights. By the time a resolution of that nature hits this Legislature, there really is no opportunity to alter the resolution as it is presented. Members in general, in that particular debate, were all in agreement and supported the resolution.

I feel it would be a useful exercise to have members, other than those from the government side, speak in those discussions and those debates; so that by the time the resolution gets here, we would have less difficulty in dealing with a resolution of that nature. None of us particularly wants to ignore the ramifications of trying to alter a resolution of that nature at this particular time or in our debate.

There is a great deal in the previous document and in this one about the government's efforts in Europe and in Asia and its willingness to pursue commercial opportunities in other countries. One of the things that I think we have to talk about a little bit in this debate is the premise the ministry works on, which is that the tours around the world by various ministers and by the Premier are great things. I would say from my personal observation, there is nothing wrong with ministers of the crown visiting other jurisdictions in an attempt to promote commerce, but I think it is pretty naïve to suggest that is the be-all and the end-all.

For example, to those of us who have studied the way many countries in the world function, particularly ones like Japan, it soon becomes apparent that if one wants Ontario industries to be active in the Japanese market, particularly in its home market, one is really going to have to do much more than send the Premier of Ontario on a little trip through there. While that trip

does not do any harm—it may by chance almost do some good—I think realistically one has to say there has to be much more than that.

If one really wants to promote the sale of Ontario-made products around the world, one is going to have to do a good deal more than establish trade missions. There has to be a general understanding of how those countries do business, what the local practices are, what the techniques are, what the regulations are and which areas in their market, for example, one might possibly service.

One of the things that is mentioned in several places in here is the ministry offices and their relationships to these visits. I noticed a report that the agent general in Paris, Adrienne Clarkson, played a rather substantial role in orchestrating the Premier's visit to Paris last year. That is fine; I see that as being a reasonable part of what an agent general ought to do. But I also noticed in this particular critique from the *Globe and Mail*, dated June 11, the aim of it all was to say that if she wanted a front-rank political role, it could be hers for the asking.

Someone had suggested to her that she would make a dandy mayor of Toronto. Perhaps she would make a dandy mayor of Toronto, but I have some difficulty in establishing the relationship of agents general overseas, and the work they do there, to their political connections here. There is no denying, and probably not a chance to get away from it, that there are political connections at work in establishing who becomes an agent general and what follows to them subsequently in their careers, some of whom have participated in the political process in a variety of ways.

I mentioned earlier that one very often has to pick up what the minister is doing by reading speeches that are delivered in far-away places. I want to pick out a few examples and make some comments on them. I want to quote are excerpts from a speech to the Canadian Club of Chicago, the Canadian committee of the Chicago Association of Commerce and Industry and the Chicago Council on Foreign Relations, delivered on May 19, 1983, in Chicago.

Part of what the minister had to say there was about US-Canadian relationships. He said the "elevation of their relationship to a new level of maturity is evident and the so-called frictions are the sign of two strong and independent nations which co-operate whenever they can, but which are, at the same time, engaged in a friendly and positive competition to advance their own interests in the world."

It certainly is his right to have that point of view. But I must say that in recent discussions I have had with members of the American Congress, for example, a credo that was put to me as a pretty legitimate one, given the American political system, was that if what you are proposing does not have something very concrete in it for the members of the Congress or the districts which they represent, you are not going to get anywhere.

We were reminded that it was Senator Edward Kennedy, who has long been seen as, and I think is, a friend of Canada, who was one of two senators who managed to scuttle an international fishing agreement. He did so because he did not feel there was enough in that fishing agreement for his constituents. In the American political system, working in the way that it does, two people who were seen to be, and are without question, friends of the Canadian government, made a pretty hard-nosed, pragmatic analysis of an agreement and scuttled the agreement.

Among staff people there and among people we talked to who were active on Capitol Hill in Washington, the credo seemed to be that Canadians and Americans are friends. There is no question about that. But if one wants to get down to signing treaties, if one wants to deal with acid rain, the auto pact, fishing agreements or anything else, one has to remember that we are friends who have to analyse what is put in front of our faces. And if the agreement does not have something in it for their relative constituencies, whether we are talking about a senator or congressmen, the agreement is not going to fly. Friendship will not make it fly; nice words will not make it fly; maturity will not make it fly.

It is a hard-nosed, pragmatic process that is at work in the United States; if there is nothing in it for them, they are not buying it. That, in a nutshell, I am told, is one of the reasons we have great difficulty coming to agreements on things such as acid rain. The American Congress itself has not settled down into a position on acid rain. There are a great many simmering disputes there. There are also great regional differences between those areas of the United States that produce acid rain and those areas—much like most of Canada—that are suffering from the results of acid rain. That first problem has to be resolved, and it does not matter whether Ruckelshaus is a friend of Canada or interested in resolving that particular problem, the American political process is different from ours.

It might be true to say that if someone could convince the Premier of Ontario that some agreement was good for the people of Ontario, the process here is such that the Premier would make that decision. The Premier would take that decision to the cabinet, which by and large is supportive of the Premier, where it probably would be accepted. The cabinet would take that to members of the government caucus, who by and large are supportive of the cabinet if they ever want to get anywhere.

In reality, the process is that one person could be convinced that the document is a good thing and, with the kind of responsible government system we have, that can flow through. We can see a number of examples, whether it is buying Suncor, signing trade agreements or whatever. That is the Canadian process. That is kind of the Canadian way of doing things.

9:10 p.m.

In the American process, one takes a good idea and puts it on the floor of the House of Representatives or the Senate, and each and every person there has a shot at saying whether that is going to go anywhere. As a result, we get such things as the fishing agreement between Canada and the United States, which was the subject of a great deal of negotiation by politicians and senior civil servants over a lengthy number of years. At the end of that process, both parties thought that was a good agreement.

When the agreement hit the floor of the American Congress, two influential people could say: "That is not good enough. That is not good enough for my constituents. That does not meet the needs of the people I represent." In the American political process, as hard-nosed and as pragmatic as it is, it means a very good agreement can go down the drain.

For example, even if one were successful in convincing the President of the United States that there ought to be a new agreement on acid rain or on fishing rights, or a new auto pact or whatever, the President of the United States would not have—he does not have—the ability to translate that into action, as would be the case in the Canadian political system.

It is not a totally different political system, but the structure is and the powers are different. What the Americans call their system of checks and balances means that it is not as easy to get something accomplished at Capitol Hill in the United States as it would be in Canada in the federal Parliament or even here in the Legislature of Ontario.

I notice one of the great concessions made, at

least in this speech in Chicago, was that the minister made remarks there dealing with the special handling charge on all bottled wine imported from outside the province. I am not sure I would care to point to that as being the foremost achievement of the government of Ontario in establishing ongoing relationships with the United States. A little later on he deals with one that is more difficult; I have mentioned it a couple of times, and we will talk about it again slightly later.

There are real problems with such things as the acid rain agreement and in terms of proposed legislation in the United States that might block things like the export of uranium and Telidon, which is an interesting controversy. The Telidon system, developed here in Ontario, is a rather advanced, state-of-the-art videotex system. As soon as we get involved in marketing on the basis that most of us assume exists, that there is free trade between Canada and the United States, and whether it involves Telidon, the Urban Transportation Development Corp. or whatever, one soon begins to find that the Americans, particularly in their current economic state, are becoming very much a protectionist nation.

The Americans have massive renovations going on in their economic order, and a lot of their industrial sector is not in such hot shape. They are beginning to look very seriously at regulations, tariffs or other means that would scuttle a system like Telidon—which, from my knowledge through briefings I have had, is something that is world-class and can compete on a world level and which in many instances the Americans would like to buy in large numbers—unless some other means can be found to resolve difficulties that American plants producing similar kinds of products would have.

There are a couple of other things I wanted to note, because there are other ministers who are travelling around Canada and around the world, for that matter. There are communiqués that are issued by different ministries; for example, I have one here from the Interprovincial Conference of Ministers responsible for Cultural Affairs and Historical Resources, held in Grand Falls, Newfoundland, on September 27, 1983.

The ministers acknowledge that the dynamic cultural growth of the 1970s may continue in the 1980s and in possibly different ways: "Developments in high technology pose a common challenge to all provinces. The ministers stress the importance of securing a place for Canadian

art within the marketplace as a means of enhancing Canadian content." I thought about that for a while and wondered exactly what it meant. I have to say that, after considerable thought, I do not have a clue. I really do not know what anyone meant when they signed that.

I do know that there are ongoing problems in terms of technology and communications among the provinces with the development of new technology in television broadcasting and satellite reception and in terms of the little border war that goes on between Canada and the United States periodically over television commercials that are placed by Canadian companies on American television stations. Although the controversy bubbles on, there does not seem to be a great deal of resolution to that problem. For all practical purposes, those kinds of problems are in the populated areas, Ontario and Quebec. I may have missed it, but I cannot recall a position being put forward by Ontario on that particular matter.

I do not recall whether representations have been made to the federal government on Ontario's position on the satellite stations, satellite reception techniques or the use of American television stations by a Canadian company. Again that is an area where there are going to be ongoing problems because the technology is being developed very quickly and the problems become very significant in nature.

Another area where I thought it would be interesting to quote something is a speech by the Deputy Premier (Mr. Welch), the Minister of Energy at the time and the Minister responsible for Women's Issues, who was representing the province at a federal-provincial-territorial conference of ministers responsible for the status of women. I am not sure that Ontario had a great day on this particular one.

Here is the kind of thing that deserves some explanation. The minister said in his statement: "On the issue of equal pay, I believe there are several options to reach our goal." Unfortunately, he does not explain what those options might be. One of the things that I thought a session like this would produce would be an analysis by each of the provincial ministers of their attempt to move towards that objective. In a debate in the Legislature last week, we saw that all parties—in fact, all members; 82 to zero was the score on that particular resolution—agree that is a good idea.

What I thought would have been an interesting exercise at this conference of ministers

responsible for women's issues would have been to analyse from coast to coast what each province in Canada does in terms of trying to achieve that goal. Which province has a program that works? Which province has a policy that has produced certain results? Which province has introduced legislation that functions? If one rejects a legislative approach to the problem, what else does one have that works? I think that is the bottom line for all of us.

Most of us on this side of the House would argue rather strenuously that saying nice things about equal pay for work of equal value has not really changed things that much. We have a long way to go towards equality of payment between women and men on a number of fronts, but nothing much has happened here. We know that the legislative route has been tried in other jurisdictions; what are their experiences? If they were going to redraft their legislation, how would they do it? If there are other options that Ontario wants to explore, what are they and what are the options of other governments around Canada that have made some forays into the field?

Here we have the minister responsible putting forward a couple of platitudes, but not really much of an examination of what other jurisdictions have done or are attempting to do or are contemplating. It seems to me that one of the purported advantages of having ministers meet with others who are doing a similar job in another jurisdiction is to do just that: to compare what Ontario is trying as opposed to what Quebec is trying, and determining who is succeeding at what. We could learn a great deal if we had the opportunity to compare. Certainly the opportunity is there, but there does not seem to be much in a positive way coming out of that.

In the latter part of his speech the minister pointed out some other areas and, unfortunately, there is not much in the text I have which indicates exactly what transpired. We know that the increasing incidence of part-time work, appropriate pension provisions, adequate support services, violence against women and the effects of microtechnology on women's employment are only a few of the vitally important areas which require our attention. Unfortunately we do not find out in this speech, or in any report I have read subsequent to this conference, just exactly what is happening in any of those areas and who has taken what approach.

9:20 p.m.

I mentioned earlier that the minister had presented the House with a resolution on an aboriginal constitutional amendment. There is just one little part I wanted to pick out of his opening remarks on that debate, "I expect that self-government, a Metis land base, and culture and language issues will be at the top of the list." He was talking in terms of the ongoing meetings that will surround that issue. He did say they would be at the top of the list, but I do not recall him saying what Ontario's position on any or all those matters would be or is now.

In reading the speeches of this minister and other ministers when they attend these conferences, one is left breathlessly anticipating what might be the position of Ontario. When they make these speeches, they are exceptionally good at pointing out the obvious, what the problems are, but there seems to be a bit of a lack on their part of proposing either what the Ontario position is on such matters or what alternatives they want to explore in a very definite and concrete way with other jurisdictions.

Because of what I read in those speeches and on other occasions when the minister has been quoted in newspaper articles or whatever, I am left with the impression of a kind of bubbly optimism, the feeling that things in this nation are going along swimmingly. The great confrontations that occurred at the first ministers' conferences over the Constitution have somehow been resolved. All that is behind us and we are left to pick up and move forward from here.

I thought it would be interesting to go back over the mountains of literature I have had sent to me in the last few years about these kind of issues and to try to judge whether we have come very far, whether any improvements have been made, whether there is any real change in the status of anybody.

One of the things I looked at was the publication put out by Quebec called *Quebec-Canada: A New Deal*. It is the Quebec government proposal for a new partnership between equals called sovereignty-association, a phrase not heard a great deal these days. I wanted to pick one little quote out of this book on page 41, "In the view of the Quebec government, the lamentable story of the many vain attempts to revise the Constitution proves how illusory it is to hope that federalism can ever be renewed in such a way as to satisfy both Quebec and the rest of Canada."

It would have to be my observation that on this particular issue the view of the government of Quebec does not seem to have changed one

iota from then to now. There has not been what all of us hoped for; that is, a resolution or change in attitude on anybody's part. That matter has been dealt with in a sense, but the government of Quebec was not very happy with the Constitution as it was put together. It seems to me I have heard nothing from the government of Quebec or from members of the National Assembly with whom I have had the opportunity to discuss it in person or whose remarks I have followed in the newspaper accounts. There is not much of a change there from anybody's point of view in Quebec. Perhaps we have not resolved the issue at all, and I do not think it has gone away.

I was looking for different positions and I admit I am picking—I do not want to call them extreme positions, but certainly different perspectives on this country. One of the groups I thought was interesting too was—I have not seen a great deal of publicity around this organization in the last little while but there certainly was during the constitutional debate—the Canada West Foundation. It put out a book entitled *Regional Representation: The Canadian Partnership*.

It was interesting that the minister in his opening remarks suggested the abolition of the Canadian Senate, because in the Canada West Foundation's summary list of recommendations, when one looks through that, one finds almost all of it hangs on something happening in the Senate. I want to just read to members the first resolution that is in their recommendations. "The resolution of the problem of effective regional representation in Canada should be sought primarily through reforms to the Senate of Canada."

Yet I think there is a growing consensus, between the minister and me anyway, that the Senate ought to be put out of business. The feeling is it has not distinguished itself over the years as being a useful chamber of second thought and that a substantial change ought to take place. That begins by doing away with the Senate. Yet not very long ago the Canada West Foundation was pinning all its hopes on reforming the Senate, and it was not the only group. In a report published in September 1981 it said the focal point for reform of the system in Canada was to begin with the Senate and change the nature of that body.

Mr. Boudria: Is this the Liberal Party West?

Mr. Breaugh: I am not sure if it is the Liberal Party West but if that member says it is I would accept it.

Another interesting area on a similar topic was a study prepared for the Business Council on National Issues, *Looking at Parliamentary Government in Canada: A Critical Assessment and Suggestions for Change*. Here I thought I would pick out one small quote which is interesting. They say on page 103, "Our findings and recommendations favour the strengthening of Parliament at the expense of the Prime Minister, cabinet and public service."

Later it says, "It is our contention that the changes we propose will enhance considerably the capacity of the Prime Minister and cabinet to provide more effective leadership based first on a stronger command of the public service and second on a better-informed and more constructive Parliament."

Many of us have followed attempts by the federal Parliament to reform itself and many of us have been trying to do the same thing here with a good deal less success. I happen to sit on the procedural affairs committee, and we had the opportunity to meet the federal committee proposing these reforms, and others MPs, to try to get an assessment of whether this proposal for reform of the Parliament of Canada was being implemented.

I think it reasonable to say to that degree, yes, reform of the federal Parliament is reasonably well under way. We are not suggesting for a moment that substantial reforms have taken place in the way the Business Council on National Issues was proposing but at least they got that far. They at least changed some rules, regulations and practices in the federal House.

I think what was being proposed here, oddly enough, is not too different from what many of us have said in this Legislature: that the Premier, the cabinet and the government of Ontario would work better if there was an opening up of the process. We feel it would work better if there was less power concentrated, for example, in the Premier's office and more of it, not dispersed but shared by committees of the Legislature.

It is worth noting that what they had to say about the federal Parliament is dead on with what is happening in the Legislature of Ontario. This government would perform better and the people of Ontario would be better served if we could get around to debating the procedural affairs report on committees.

That same problem has been identified by anybody at any level who ever looked at the parliamentary process in Canada, federally or provincially. Everywhere I see the same obser-

vations being made: that the parliamentary process is one which no longer serves the people well. I could even paraphrase Joe Clark, who in his opening bash as a professor at York University yesterday went on at some length about the role of an ordinary member.

I am not a great fan of the American system of government. It is a system which escapes most of our understanding. If you are a parliamentarian from Ontario or the Canadian government you do not understand the American system or what is going on there. There is a lot of wheeling and dealing. On the surface there appears to be a system at work of "You scratch my back and I'll scratch yours."

But if one takes more than a superficial glance at their system, he will see one of its strengths is to look at an individual elected person's ability to do something. My judgement would be that the American system relies too heavily on that, that the emphasis there is on kind of no leadership in a sense.

One of the things I have to say is, if the American system relies on the individual elected person to actually do things, the Canadian system—whether an individual is on the government side or the opposition side of the Legislature—almost forbids an individual member, an ordinary member of this Legislature or the federal Parliament, to accomplish anything. 9:30 p.m.

Mr. Boudria: Some of them are even mugged in the corridors of power.

Mr. Breagh: I do not want to pander to the quaint interjections that are stuck in here, but I want to pursue that point just a bit. It is pretty clear to me that—

Mr. Boudria: Have a pander anyway.

Mr. Breagh: The member needs a little attention paid to him from time to time. One of the basic problems we have in our parliamentary system is that, in a nutshell, an assumption is made from observers who are, I would have to say, not really digging into it, casual observers of the Legislature of Ontario, that the ministers of the crown actually run their ministries. I would have to say I have been here long enough to know better; they do not. One would have to say that committees of the Legislature are set up to improve legislation. On occasion, that does happen. But it is a rarity.

Mr. Boudria: Accidentally.

Mr. Breagh: It is certainly folly to think that committees of this Legislature scrutinize the expenditures of the government of Ontario. It is

just absolute lunacy to assume that happens. It is reasonable to say that they get a fleeting shot at it, but they do not do anywhere near the kind of scrutiny of spending in Ontario that other jurisdictions do. Those of us who have had a chance to look at state and federal systems of examining how money is spent in the United States know that. One goes down there and just drools over the ability of individuals to poke and pry, in the traditional parliamentary role of an opposition, to find out things. One is absolutely amazed, when one looks at the Canadian system of government, at how easy it is for governments to simply stonewall.

That is a great tragedy. If we open that system up, if we allow that kind of scrutiny, if we get away from the rather old-fashioned notions about a minister who has 17,000 employees being totally responsible to the point where he or she ought to commit hari-kiri if one of them fouls up somewhere, if we sent that one back into the dark ages and said, "We are dealing with a very complicated piece of government machinery here; more than 80,000 civil servants at work in Ontario," I think it is important that people in this Legislature—who are not all dumb, who have some abilities, who have different backgrounds—ought to take a good look at how that system works.

I think the members in this Legislature, on all sides, could do some very productive work if they had some tools to do that work. When one looks at the resources that are at any ordinary member's disposal on any side of this Legislature, a member does not have the tools to do the job. He does not have the research capacity to find out bits and pieces of information. He cannot get government documents which really tell him anything.

One of the hoots is that each year a set of briefing books on the estimates arrives on my desk from three different ministries and they tell me nothing. Nada; not a thing. If anything, they could be most aptly described as public relations programs for the minister. They tell large dollar amounts, they tell the areas in which those amounts are spent, but if one is looking for details on who bought what and who spent what, he will never find it in one of these briefing books; it is never there.

At the very best, one will get a number which corresponds roughly to a very large activity in the ministry. Past that point, one cannot tell how the money is spent. The sad fact is that even if one could tell, even if the greatest scandal was found in one of our ministries and we took it to

the public accounts committee, we could not reduce that expenditure by a cent.

In the first place, for example at public accounts, they will find out about the money after the Provincial Auditor has had a little hash through it. Maybe in that instance, a year or so later, the public accounts committee will get a chance to look at expenditures of money.

Mr. T. P. Reid: Maybe.

Mr. Breaugh: Maybe, a year or so after the fact, we have a committee that has the ability to question how that money was blown away a year or so ago. We have no committee in the Legislature which has the ability to look at a current expenditure. Our quaint system of government says that if an event of that nature was dug up, the government members would rush in and—publicly anyway—would say, "Oh, no, this is all right. You got good value for your dollar"—which is a term I seem to have flashing in my head from recent memory.

But the fact is that a minister of the crown spent, and admits to having spent, more than \$400,000 over a period of time and there is no mechanism by which members of this assembly can question it. We could stand up in question period and ask, "Why did you spend the money?" The Premier (Mr. Davis) will stand up in question period and say: "Never mind why we spent it. We think we got good value for our money."

There are no means at our disposal to take that outside to a committee and to call witnesses to find out exactly how it was spent. As the minister in question said, "It is common practice," and sadly enough it is. If one relates to people on the street that we have ministers of the crown who spend \$500 or \$1,000 to have someone write them a speech they say, "Who would be crazy enough to spend \$1,000 for a speech somewhere in Ontario?" It is not like hiring Don Rickles or somebody to come in and entertain the troops, when one can get market-rate entertainment value from it.

I read the speeches of the ministers. They are not bad. There is no argument about that. They are not that good either. If someone asked me if I would pay somebody \$500 or \$1,000 to write any speeches for me, I would say no. I think I could find a slightly better way to spend the people's money than to do that.

But it is common practice, and because it is common practice and because they have done it for some period of time now it becomes accepted after a while. Quite frankly, from my perspective, spending upwards of \$500,000 for some

people to do a little public relations work for one ministry is absolutely ridiculous.

The sad thing is that in this Legislature, if we all thought it was ridiculous—let us exclude the cabinet—if everybody outside the cabinet, those who have the opportunity to spend that kind of cash, thought that was absolutely the most ludicrous idea, it would be extremely difficult for the members of this assembly, if we all gathered on the great staircase outside, to do anything about that because the government members would be told:

"Your job, ladies and gentlemen, is to stand up at the appropriate moment and be onside with government. Never mind if you think this is the dumbest thing you ever saw. Never mind if it is impossible to explain that kind of an expenditure to the folks back home. You are here to support the government. One of our people is in trouble. We expect you to shut up and go down the hall to the caucus room and say anything you want, but you cannot step outside and say it. It is your job to take the vow of omerta, to shut up about it and to keep that behind closed doors. You are not to say one word outside but just be onside."

If we went off to committee with it, we would find a split in committee exactly that way. Somebody would move a motion to say, "We ought to take a look at this." The government members might mutter a little in the corridor outside, but when they get inside their role in life is clear. It is to stand up at the right moment and put their hands up at the right moment.

We should not be terribly critical of the members. In a traditional, parliamentary, Canadian sense that is what ordinary members on the government side do. They can make the odd speech here and there if they are particularly brave, but when they are here in the assembly of Ontario or in its committees their job is to defend the policies of the cabinet no matter what.

I would make a pitch to the members that much of what the Business Council on National Issues had to say about the federal Parliament and how it works applies dead on to Ontario. Much of what I think the Minister of Intergovernmental Affairs could do of a positive nature would be to try to move those reforms along the road.

For example, the august procedural affairs committee, of which I am a member, sat down in the spring session and said: "Let us stop the flim-flam. Let us get a short list together of consensus issues around which ordinary mem-

bers on all sides can agree." It did not take us very long to put the list together.

We had studied the matter for some period of time, but when we got right down to actual negotiations of what ought to change around here to make government a little more accountable and to make the process a little more bearable for members on all sides, it was not hard to arrive at those sets of issues, just as it was not hard for the federal committee on parliamentary reform to do exactly same thing. But when it comes time to actually get it implemented, from the spring session until now, it does not take long to recount all that has happened—nothing.

There have been some negotiations among the House leaders. There will be, we hope, an occasion when the House leaders can come back to the procedural affairs committee and say, "From our perspective, this is what we might do around these changes."

9:40 p.m.

However, in a straightforward and direct way, there is not even a mechanism at work whereby the assembly of Ontario can correct things that ordinary members on all sides think ought to be corrected. There is not a means to do that. Although I probably do not agree with them on very much else, the Business Council on National Issues hit the nail on the head.

It is not that this is such a great and difficult thing to see. As I talked to members from the federal Parliament of Canada about the same set of problems, they agreed quickly that Parliament was not serving the people any more. Joe Clark said it again yesterday. There is not much room in the Canadian system for an individual member to do anything. There is great pressure in our system, on all sides, for members to vote with the party whether one thinks the party is right, wrong, crazy, nuts, out of whack, or not.

Our tradition in Canada is to say, "Well, we will have those arguments in a caucus room downstairs or down the hall and we will not have them in public." I think this is a bit of a shame. I think there are things which happen on all sides in all political entities in Canada which should not happen but happen, not because they are right but because that is the way we have always done things.

There are a couple of other areas where I think it is interesting to go over back files and take a look at things which have to do with affairs between provinces and try to assess where we have gone.

Members may recall that in the 1960s, 1970s and on into the early 1980s, there was a notion touted that had great appeal. That was the notion of block funding. This is from a set of Ontario papers on federal-provincial fiscal arrangements, reprinted and summarized for the meeting of the provincial ministers of finance in Victoria, British Columbia, June 25 and 26, 1981.

They go through the principle of block funding which, at that time, apparently was still in some favour. I want to point out that the little catch phrase "block funding" has become one of the major economic problems facing provincial governments across the country, whether one is looking at something as specific and as startling as what has happened to our medicare programs—the slippage in federal funding through the provinces and the concurrent slippage between the provinces and the providers of a service like our hospitals.

What I am really trying to trace back to is that point where it went through a block funding system which provided for some flexibility, which everyone wanted. This is the good side of that particular argument. If I were to analyse my personal feelings on block funding, this is the positive aspect of it. There is an ability to have some flexibility there which was not present before.

However, to flip it over and look at the bad side of the coin, we really have to say part of our ongoing financial problem in social services, in health, in dealing with municipalities, in dealing with large institutions, began to become most dramatic when we went to that block funding system. The irony is that while the provinces have a legitimate argument with the federal government about their kind of falling behind in terms of maintaining what they had assumed as a responsibility to provide funding for various kinds of programs, the provinces promptly turned around and did the exact same thing, using almost the same technique, to the institutions.

Therefore, if one looks at what is happening to Canadian universities, here in Ontario or elsewhere, if one looks at what is happening in our hospitals, in our elementary and secondary schools, in our municipalities, one will see the slippage was transferred from the federal government to the provincial government, and the people who wind up with the short funding are the people who are directly providing the service.

There is one other term I wanted to pick out of this book because I thought it was kind of

nifty. I think the block funding concept somehow got waylaid, somehow got misinterpreted. If it did, perhaps this is one of the reasons.

There is a whole section in here analysing something called the "emergence of overequalization." One of the problems when governments get together is a tendency to develop new jargon. It often seems that the purpose of the exercise is to develop the jargon, not to resolve the problem. One area where I think we would find quick agreement is that we have not really developed even the techniques for resolving the problems.

I picked up this publication, a report of the provincial Great Lakes-Seaway Task Force entitled, *Setting a Course for the Eighties*. This is for those of us who are living along the Great Lakes and also for those of us who are not but are interested in whether the Great Lakes work or do not work. This has been an ongoing problem of what happens along the Great Lakes waterway system, what happens in the Great Lakes in terms of what people dump into them, and what happens in terms of municipalities that discharge raw sewage into the Great Lakes. That still happens in many parts.

They kind of toot their own horn here. I think people in Ontario and on the Canadian side have attempted to do something about the pollution in the Great Lakes, for example, but constantly are being thwarted by what we see as the Americans not really living up to their part of the bargain. For all of our protestations about that, we seem unable to come to grips with it. We seem unable to get the government of the United States to live up to what we thought was an agreement. It just does not happen.

One of the things that surprised me in a recent visit to Washington was a congressman from Minnesota—Stangeland I think his name is—who had proposed a bill in Congress which would keep the Great Lakes open year round. When I first heard of that, I thought it was a very nice idea. That is a little political number he is doing for the folks back home in Minnesota, and it probably sounds great in Minnesota.

But everybody else will look at that and say: "That is a crazy thing. We have ports running at 30 and 40 per cent capacity now. There is absolutely no indication that anybody would ever get to use something like the Great Lakes on a year-round basis." Even just a casual survey of what it would cost to keep the Great Lakes open year round ought to brighten people up so they would say, "No, you certainly cannot afford that kind of expenditure, particularly

when the American climate for the expenditure of public funds is supposedly shrinking and they do not want to spend vast amounts of money for engineering."

One of the things I found surprising is that this proposal to keep the Great Lakes open was wrapped up in an omnibus bill. It was trudging along quite nicely through the American congressional system because, as they deal with this kind of legislation, one of the common practices is to take somebody from Minnesota who wants to do something there and then somebody from New York State will say, "I can support his bill if you just open up a harbour in my constituency or if you build a road over here or a dam over here." They roll it all in, and what one has at the end of that process is what they refer to as an omnibus bill with totally unrelated items which everybody wants. It all gets put into one little package, and that thing is chortling along through the American Congress.

Staff reports which we heard down there mention that the President himself had taken note of this omnibus bill rolling through and was making mutterings to his people on the Hill that he was not about to support this thing. They could pass it if they wanted to, but he was not going to sign the thing. It appears that may die, but here is a problem that has been in existence for a long period of time.

Around the Great Lakes and the St. Lawrence Seaway and its development, on this side of the border we are still trying to deal with simple things like pollution, which turn out to be not so simple. We are still trying to discover who is dumping stuff into dump sites along the Great Lakes which are seeping in through waterways into the Great Lakes themselves, so that the water, which I assume is reasonably pure when one gets it from a tap in Oshawa, may be affected from some chemical dump site in the Niagara Peninsula, either on our side or on the American side. We seem unable to deal with that one. There are a lot of continuing frustrations around the major set of problems like the Great Lakes and the seaway.

There is another area I wanted to take a look at because I think it is interesting to go back over books and reports which were written some time ago and see if we have come any further than we were then. There have been countless publications around the matter of acid rain. This is a report called *Still Waters, The Chilling Reality of Acid Rain*. It is a report by the subcommittee on acid rain of the standing committee on fisheries and forestry in the

House of Commons. It documents a set of recommendations that have to deal with the problems of acid rain, 38 of them in total. It talks about problems like access to information, the Canada-USA agreement, US emissions, public awareness, capital cost allowance, the problems to motor vehicles, forests, drinking water, mercury in fish. They are all here. This is the litany on acid rain and all the problems that are there.

9:50 p.m.

Interestingly, once again, in a recent visit to Washington our committee had an opportunity to talk to several people—staff at the Canadian Embassy, congressmen, congressional aides—about acid rain. It would appear that although we are being a little more aggressive in terms of the Canadian federal government trying to get an agreement on what we ought to do about acid rain, at the other end of the process not much is happening.

If one looks at Ontario in terms of what it has done, I think we are vulnerable to the accusation that Ontario has not really done very much. It is inside its jurisdiction clearly. It could do it on its own. Actions could be taken to resolve our contribution to the problem.

When one looks across the border at what the Americans have done, it is even less. In our discussions people got pretty fundamental about it all. It got right down to the conflicts there are between different regions in the states and the fact that some people would say the majority of American industries are older factories and it is difficult to install pollution abatement equipment in them. The crunch really is not about whether new technology could be applied to those factories; the crunch really is about whether those factories will survive or not.

We were told, and I tend to agree, that a lot of the argument is not, "Can we do something about the problem of acid rain?" The question is, "Will the American steel companies decide there is no longer a market for American steel and get out of the production of American steel entirely?" Or will they look at the investment that is required in new technology inside their plants for production; and second, for abatement programs that would curb the production of acid rain.

In Ontario we use coal-fired generators for the production of hydro-electric energy, or for any other purpose for that matter. We have trade agreements with the mid-American states for coal they produce there. I am told and I have read several reports now that indicate Canadian coal from western Canada burns substantially

cleaner than the coal we are using. That one step would accomplish several things for us.

Perhaps it would do a little something towards straightening out some of the imbalances in interprovincial trade in Canada, which obviously would shake up some of those agreements we have between Ontario and those states from which we now get that coal. But there would be an example of an area where, it seems to me, there are several benefits rolled into that.

We could use coal from western Canada, which would perhaps do a little bit towards strengthening our relationship with the western provinces. We could, in some measure, at least have an effect, and a substantial effect, on pollution and the production of acid rain. We would have to work our way through trade agreements that we currently have, but the fact is we are doing none of those things. They are just plain not happening.

If one looks to Ontario Hydro and whether they have put in pollution abatement equipment, yes, some but not very much. If one looks at the private sector, at the ones documented here, Inco, Falconbridge and other large polluters of our environment that we have known about for some period, one tries to analyse, "Have we effectively dealt with our own industry?" Never mind pointing the finger at the United States; have we done what we said some time ago we were going to do in environmental laws in this province?

Even the fairest, most academic observer of that process would have to say we have not. One does not have to be a member of Pollution Probe to point the finger there. It is reasonable to say one of the reasons Americans feel quite justified in looking at a province such as Ontario and saying, "Well, we are not prepared to sign any agreements on acid rain," is simply our track record is abysmal in dealing with polluters who are often on a large scale involved in the production of really costly problems that taxpayers will have to pay for at some point. We cannot be very righteous when we go down to Capitol Hill in Washington and start pointing the finger at the Americans. We have not really done our fair share in that either.

In terms of putting together some agreement on dealing with this problem, I noted that Ruckelshaus was meeting with our federal officials and there was an expression of concern on both sides, but particularly on the American side.

There certainly is no real indication they are going to do very much in this regard, and from

our observations in Washington recently I would have to report to the House that it did not seem very likely to any of us that we would be moving in terms of preparing an agreement even for discussion purposes on resolving that perplexing problem called acid rain for some period of time. The political will to do that was simply not there, or at least there was no evidence of it during our visit.

When we pressed some of the staff on the Hill for the reasons behind it, it soon became apparent that the American Congress is not of one mind. They have not yet got themselves to the point where the Congress of the United States feels acid rain is a problem. There are certainly some people there who do, but I think one would have a hard time to say the American Congress as one body would stand up and say there is a major problem between Canada and the United States called acid rain.

There were some who gave us an indication that was going to happen and that in the foreseeable future there will be a general acknowledgement that a problem does exist. When one reads back through the literature, particularly that produced in Canada by a federal subcommittee or in Ontario by several other groups, the acknowledgement of the problem at least is here.

I have not been in this Legislature that long, but I can remember four or five years ago in this Legislature when ministers of the crown on the government's side were saying, "There is no problem with acid rain." It seems to me I have been here long enough just to kind of follow the transition from the "there is no problem" state to the point where people are saying, "There is a problem, but it is not all ours." We are now at the point where we are saying, "There is a problem, but it is not all ours and there is nothing much we can do about it."

In the wonderful, sad way that politics sometimes work, one can follow the development of a trend in Canadian politics, where people now admit there is a major problem. When one goes to the other jurisdiction and tries to trace the same trend, they see they have not come nearly as far as we have. We have not done anything about it, but at least we have admitted there is some difficulty there.

I wanted to say a couple of words about another major area where there has been a change in the stance of this government which I welcome and, again, a change in stance which I have followed over a number of years. When I first became a member here we raised some

questions about the auto industry in Ontario and in Canada and its relationship with the United States and with other countries in the world. I remember Ontario being remarkably silent on the issue. I remember us saying, "That is not our jurisdiction. Those jobs may be here and all of that auto industry may be here, but it has got nothing to do with Ontario."

I watched the transitional stage as problems began to develop in the auto industry, where different ministries of the crown would take positions in speeches in the Legislature or when they were out visiting and opening up new centres or visiting auto plants. Gradually the evolution came about so that Ontario now sees the auto industry as a matter of prime concern, to the point where the Premier supports a task force report which talks about Canadian content and which has that as its centrepiece.

I welcome that evolution because I think all that has happened is the government has kind of let seep into its consciousness the fact that one cannot really put things in little boxes. One cannot say this is a federal problem if the jobs are here. The unused capacity in our auto plants is here. The effect on economies in Oshawa and Oakville and Windsor is here. Those are all Ontario problems because all of that stuff is right here in this province.

So there is a growing awareness on the part of the government that the auto sector needs some attention. I am not sure this will happen, but I am pleased to say there is a discussion scheduled for Thursday afternoon private members' business which talks about that task force. In some small measure, I think we have begun to reverse the process of benign neglect, so to speak. There is an awareness that there are problems in the auto industry, that those problems will get resolved when governments, industry and labour sit down and discuss what solutions might be put together, and then when some action is taken.

10 p.m.

Having seen the Premier endorse that task force report and having heard some discussion in committees and in the Legislature about it, and having seen a resolution being put on the order paper, which I hope means that at some point a debate will ensue, I am at a bit of a loss to determine exactly what the province is doing in terms of its relationship with the federal government to see that the task force report gets more than discussion and that it gets implemented.

Going back to what I said originally, in trying to trace what this ministry does, one soon gets

lost in the fog. I recall on other occasions having heard the minister say there are lots of meetings going on at staff level. There are also meetings going on at the ministers' level. Our ministers go to conferences and they talk about things like this. I am aware that letters have also been sent, and maybe even telegrams dispatched, putting forward Ontario's position regarding the auto task force.

But I am somewhat perplexed to try to identify where the government of Ontario did anything in a direct, concrete way about the contents of that report or where the government of Ontario actually sat down with the federal government and negotiated anything. We get back to the continuing problem of a large sector of our economy, the auto sector, where problems occurred and where it became difficult to discern what Ontario was doing about them.

If one reads the documents about the activities of this ministry, one would have to assume that since we are interested in trade in Japan and in Europe, in trade missions and in exchanging information, we have to be pretty good now if we can go that far afield. If we can get down to Chicago and out to Edmonton and down to Dallas, we ought to be able to make it to Ottawa to put our case to the federal government, to say: "Here is the task force report. It does not resolve all the problems in the auto industry by a long shot, but surely it develops some guidelines and puts together a consensus document around which there ought to be some federal action and some provincial action. There ought to be some further activities taking place."

We have seen the task force document tabled, and we have seen a partial response by the federal government to some aspects of the task force, but not a total response. If I were the minister, trying to co-ordinate the work of several ministries in that particular field, I would want some answers. I would want to know what the federal government's position was on that task force and what the schedule was for implementing all or some of the recommendations of the task force. I would want a timetable, and I would want to keep score of what is happening there.

If we are to believe the documents put forward about the activities of the ministry, we are getting a little sophisticated now. We are able to brief people on things like protocol and on trade practices in different parts of the world. So we surely ought to be able to deal with the federal government of Canada and keep some tabs on what is happening about a task

force report in a very special part of our economy. We have all trotted out the old cliché that one in six jobs depends on the auto industry. I think it is important that we follow up on that.

Other members have mentioned a couple of areas that I want to take note of. I guess it is fair to say on one level that there is a kind of diplomatic corps being established in this ministry. In the minister's opening remarks, and in documents that have been presented to the members here, one can see that this has been a blossoming group over there. It went from a rather small group to a rather substantial number of civil servants working in the ministry. It went from a situation where we were represented traditionally in London, England, to where we now have centres around the world.

We have now begun to move into the United States. In discussions in Washington recently we found a lot of provinces had begun this process. I want to pursue just where we are going here, because from the minister's opening remarks and the documents I have quoted from tonight, there appears not to be a definitive program for what is happening.

We went into what other provinces are doing, to some degree. On an international scale, I think most of the provinces now have established an agent general or some kind of facility to provide information. There is usually some person or body to facilitate all cultural and commercial exchanges, trade discussions and interparliamentary and political events between provinces and countries. Most of them are into that.

In the beginning, most of them seemed to be in much the same boat as we were. Everyone was saying it was a good thing to be involved, but no one was very specific about exactly what people did or what the involvement was. In particular, no one seemed to have a good handle on how far we were going with this.

Were we intending to establish a full-fledged diplomatic corps out there as other jurisdictions were said to be doing? Were we talking about industrial promotion? Is that what we had at work here? What was going on in all those centres that were being opened in the major cities of the United States? What was the purpose of that exercise? Should we have sales people set up in those centres to sell Ontario products, for example? How do the people of Ontario make a judgement?

One thing about which I think the government has a little explaining to do is the matter of

who gets appointed to these positions, what qualifications they have and what their roles are. I do not think we have ever had much explanation, for example, as to why Adrienne Clarkson, who has had a rather distinguished career in broadcasting in Canada, all of a sudden goes to Paris and works there on behalf of Ontario in some way.

If one wanted to be a little nasty, one could say the sum total of reporting to the people of Ontario on that has been one speech in Toronto made last week. There also were a few newspaper articles pointing out that she is a charming, intelligent representative of the province in France. But why? What is going on there? What is the purpose of the exercise? What is the relationship between that office and the Legislature of Ontario or even the government of Ontario? Those lines are not drawn very clearly.

In looking at the analysis provided to the members by the ministry, called *A Perspective On Ontario's International Relations*, one is left say that it is fine and that it is a chronology of the buildup of programs and activities that have gone on over the years. But what is the purpose of the exercise? Why is this ministry in business? Why are these centres being established? Why are these people being hired? That seems to be lacking.

I think, as we go through the estimates, one of the things members will want to know is why we are having a celebration next year over an event that did not happen. How does that get put together?

Is it the purpose of this ministry to co-ordinate the tours of different ministers as they go around the world; or are there more meaty items to be carried out by the minister and by others who work in the ministry that will be a sensible agenda that will carry us on for a lengthy period of time? Will people know clearly why the ministry is in place, if there is a rationale for the establishment of other trade centres or other agents general or other programs around the world and in the United States?

I have just a couple of other comments and then I will close, because we want to get into other areas that are in the estimates.

I will put the negative first. It is pretty clear that on major issues we have not been very successful in our relationship with the federal government or with the nation to the south of us in going through things like acid rain or the Great Lakes or in dealings among ourselves on fiscal arrangements.

We still hear a recurring version of exactly how successful the provinces have been with the federal government in establishing long-term financial arrangements. If we were to flip the other end of that process around, we certainly would have to say that with municipalities, hospitals, schools and a wide range of institutions that function at another level, municipal or regional, there is a good deal of uncertainty about long-term financial arrangements.

Whether one is talking about the Business Council on National Issues, the Canada West Foundation or the province of Quebec in terms of ongoing relationships, we have not resolved those problems. They remain as entrenched now as they were during the constitutional debate. They did not get voted away when the Premiers struck an agreement. They did not get signed away when the Constitution of Canada became law. All those things are real.

10:10 p.m.

Whether we are talking about aboriginal rights, women's issues, trade problems, the rights of Franco-Ontarians in Ontario or Franco-Ontarians who moved to other parts of this country, we see that there is a range of problems between governments which have remained unresolved. One has to take an almost foolishly optimistic outlook on life to say those things have been resolved. Those problems remain entrenched in the Canadian scene today in the relationship between Ontario and other provinces and the federal government or in the relationship between states in the United States and the federal government in the United States. None of them seems to have been resolved in a way that anyone thinks is satisfactory.

The minister has quite a broad range of issues, programs and relationships he has tried to establish over a lengthy period of time. My assessment would be that in general terms there are mechanisms in place that were not there a few years ago. There is a ministry, which is kind of a growth ministry, that is moving to deal with many of these problems. But to say we have dealt with them effectively would be quite wrong.

I would be interested, as we go through the estimates and take a look at more specific areas, in the response of the minister to the questions that all members will raise and that I have tried to put into some context this evening.

Mr. Boudria: Mr. Chairman, is the minister replying to those first?

Hon. Mr. Wells: All right, I will reply for a few minutes. I would like to thank my friends for their comments. It is very enlightening to hear the various perceptions they have about this ministry. There is a very good reason for this ministry. Although they indicated they were perhaps not sure what it was, they then proceeded to talk for well over an hour on the work this ministry has done, the papers we have put out and the statements we have made, which are an enunciation of the broad government policy on intergovernmental relations, be they federal, provincial or international. That is the purpose of this ministry.

I could go on and on to talk about the various things that have happened and comment on some of the comments of my friend, particularly the last speaker, but with the time we have available we could best use it to discuss the issues as we come to them in the various votes. I think there have been some real successes in both federal-provincial relations, interprovincial and international relations. I wish my friend had had a chance to listen to Adrienne Clarkson at the Canadian Club yesterday, where she spoke to a standing-room-only audience—

Mr. McClellan: Well, why don't you invite us?

Hon. Mr. Wells: She will be here this week. It may be that she will be in the House for the conclusion of the estimates on Friday morning. Members can have a chance to chat with her here.

There are only two provinces represented in Paris, Quebec and Ontario, and the Ontario office is filling a very significant need and serving its purpose very well. We set out to establish an office with an agent general so that the profile of the province could be raised in France, and that has been done. We set out to establish in that country an appreciation of the fact that Canada is larger than just the French-speaking province that makes up a large part of this country. From all kinds of discussions and talks we had there, we were led to the conclusion that the general impression in France was, "There is Canada over there, basically the province of Quebec, a French-speaking province."

The fact that Ontario is the industrial heartland, a basically English-speaking province, unknown in character to the people in France, was not appreciated there. Through the elevation of our office and what we have done through Adrienne's very fine work, we have been able to establish Ontario's presence on the scene, and that at a time when the French people, and particularly the French industrial-

ists and manufacturers, are looking for expanded markets.

Where they at one time looked only to Quebec, they are now looking to the whole of Canada and particularly to Ontario, as was enunciated by Prime Minister Mauroy's visit here a year or so ago. They are interested in looking at Ontario to do business. The increased emphasis and the raising of Ontario's presence there has been very beneficial both to ourselves and to the French. That is part of the general thrust of our ministry. We have an office in They are interested in looking at Ontario to do business. The increased emphasis and the raising of Ontario's presence there has been very beneficial both to ourselves and to the French. That is part of the general thrust of our ministry. We have an office in Brussels that is doing the same thing.

We have given a lot of thought to how relations can be improved in the United States vis-à-vis our being able to be aware and to have some impact on the centre of government in the United States when the kind of decisions are made that my friend talked about. This is not an easy matter to address, and I will not go into it at length now. Perhaps we can deal with it a little more when we get into that vote.

I would like to tell members my ideas, what we have done, some of the things that have been successful. The member passed very quickly over the wine-handling charge. That was a long, complicated issue that involved a number of ministries and a lot of discussion and could have been detrimental to several sectors of the Ontario economy if it had not been brought to a proper conclusion, as it was.

The softwood lumber issue is another one that went on for quite a time and involved a number of governments, including our government, in negotiations in the United States and finally led to a successful conclusion as far as we are concerned.

There are still a number of issues that have to be dealt with, acid rain being one of the major ones. There are many initiatives being taken there.

Rather than take up all the rest of the time in answering a number of the matters that have been raised—I know my friend the member for Prescott-Russell (Mr. Boudria) is waiting to speak; I would be happy to let him have the few minutes that are left this evening—I will deal with the other matters as we go through the votes on Friday morning.

On vote 601, Ministry administration program; item 1, main office:

The Acting Chairman (Mr. Treleven): Is the member for Prescott-Russell addressing himself to vote 601, item 1?

Mr. Boudria: Mr. Chairman, if that is the main office vote, I guess that would legitimize the points I want to raise this evening. Because we have only a few minutes left, I will address only two of the issues. I am sure you will agree that they both qualify under the main office vote or the first vote you have. I hope I will be able to continue on Friday morning, because I am available then as well.

One of the two issues I would like to raise was brought to my attention not long ago. It has to do with the provision of French-language services, which should not surprise you very much, Mr. Chairman. It concerns L'accueil Medical Francophone. L'accueil Medical Francophone is a service here in the city of Toronto. It operates for the benefit of people living in northern and sometimes eastern Ontario and elsewhere.

10:20 p.m.

A larger portion of its clientele comes from northern Ontario. This service operates in this way: if a francophone from northern Ontario arrives in the city, he immediately contacts L'accueil on arrival, or sometimes someone will meet him at the train station and so forth. They then bring him to the particular doctor he has to see, or the hospital.

L'accueil Medical Francophone, as I understand it, has only registered nurses doing its work and, therefore, they are able to translate the proper medical terms between the patient and the physician and provide a very worthwhile and sometimes lifesaving type of contact between these two people.

This agency has been funded in a pilot project manner since its inception three or four years ago. It has been receiving grants from the Ministry of Health, the Ministry of Intergovernmental Affairs and the Ministry of Northern Affairs.

The difficulty they have is that because they are an eternal pilot project and because of the government's reluctance to put anything down on paper regarding the guaranteeing of services to francophones, we can assume this is just one of those services that is not guaranteed and is, therefore, one of those eternal pilot projects or perpetual pilot projects. This means they have to spend a good time of their year, every year,

reapplying for their existence, rejustifying what they do, lobbying and so forth.

Last year, as I understand it, they were awarded a sum of some \$98,000 from these various ministries. One of the grants they received last year was a one-shot deal from the Ministry of Intergovernmental Affairs. That grant was of such magnitude that its loss would make their operation very difficult. Without it, they may have to discontinue some services this year.

What I wanted to know from the minister is, was there any consideration to make this service statutory or otherwise guarantee its availability to the francophones of this province, or actually francophones from everywhere who are in this province and require those services? I think it is a very important service. When we are talking about such a facility as medical care, I am sure the minister will agree it is just not a service that is nice to have, it is a service that could be considered, on many occasions, as very important and even in some cases lifesaving.

The second issue I wanted to raise with the minister very briefly tonight is the one concerning translation services provided for members of the Legislature. I recognize that under the present formula those are offered by the translation office and are invoiced to the individual MPP proportionate to the number of words an MPP gets translated in any given year.

I say to the Minister of Intergovernmental Affairs, who is responsible for francophone services, that for the services to members of this Legislature to be dispensed in this particular fashion is not proper. Surely if we are going to arrive at any stage to recognize the services to francophones in any way, the mere principle of charging by the word a member who serves his francophone constituents, and invoicing him for everyone to see that it costs that much more to serve francophones at the end of the year, is a principle which should be abolished. Either those kind of fees should be absorbed by his ministry or by the assembly as a whole.

I do not think he should be charging the individual member; and then at the end of the year it says the member for Prescott-Russell used \$8,000 worth of translation, another member used \$200, another member used \$60, so the press people of this world can look at this and say: "Gee, is this not the proof that serving francophones is really expensive? There you go. It cost \$8,000 just to serve one particular fellow who translates everything his constituents want in the French language." Needless to say, whether anybody in the press or anywhere else likes it, I

will continue providing those services to my constituents.

Mr. Harris: Why not?

Mr. Boudria: Why not? Absolutely. I am glad to hear the member for Nipissing say it that way. That is very nice, coming from him, and other as well.

Interjection.

Mr. Boudria: It is not a waste of money and I am not trying to say—

Mr. Roy: The member for Mississauga East (Mr. Gregory) is the last guy to talk about wasting money, with that big car parked over there.

Mr. Boudria: I will not get into a debate about who wastes money best. I do not think translating anything is wasting money.

Mr. Piché: Mr. Chairman, on a point of order: I don't think what was meant here is wasting money. This is a very important project, and whether it is charged to the Legislature or to the ministry I do not see any difference. I use it a lot. I need it because of the constituents I represent. I represent about 58 per cent francophone constituents. I need the service more than anybody else, including the member who is speaking. There is nothing wrong with it; it is a good service and we must have it. What difference does who pays for it make?

The Acting Chairman: That wasn't much of a point of order.

Mr. Roy: Do you agree with your colleague who said it's a waste of money?

Mr. Piché: No. I do not think he meant it was a waste of money. That is what I am saying. It is money well spent.

The Acting Chairman : Order.

Mr. Breaugh: You should not have to apologize for ministers.

Mr. Boudria: I will let them apologize for each other.

Mr. Piché: No, there's no apology here. I am just trying to straighten the record.

The Acting Chairman: Order.

Mr. Boudria: As I say, I will let them continue that dispute whenever they like.

My point has nothing to do with that. It has to do with the mere principle of how we serve the francophone community. If we start charging for those services by the word, to the member who uses them, I feel it is the wrong way to go about it. It is not going to change the fact that I will use the service as much as is necessary to

serve my constituents, as much as I am doing now.

However, I think it is putting that extra label on the francophone population of this province which is totally unnecessary. I hope we have arrived at a stage in this Legislature when we can recognize at least some things are due to the francophones as a right and not a privilege. I hope the translation services for members of this House can be considered as one of those rights.

We are afforded the opportunity of speaking both langues officielles in this Legislature. That is not translated. It is another story which we can get on with at some other point in time. However, when we do speak in the French language in this House, the transcribing of that is done by people they bring in from the outside. Yet the cost of that is not charged to the individual member who spoke his words of wisdom in the other language. However, in the case of the translation service to individual members, it is.

As I say, this has nothing to do with the actual cost of the service. The cost will always be there. It is only the way in which it is invoiced that I am questioning.

I think the honourable member wants to participate in the debate, so maybe I will let him or the Minister for Intergovernmental Affairs answer. I would like to continue next day with other points I would like to raise with the minister.

The Acting Chairman: Thank you. Noting the clock, does the minister wish to respond now?

Hon. Mr. Wells: I will respond to my friend the member for Prescott-Russell on Friday morning.

Mr. Roy: Mr. Chairman, on a point of order: On the issue raised by my colleague the member for Prescott-Russell, I think he makes a very good point, that to service his electorate he has to spend additional amounts of money for translation. Year after year, he is being labelled by the press as being the big spender when in fact he is using services which are necessary to serve those constituents. This is most unfair and I think it should be looked at.

On motion by Hon. Mr. Wells, the committee of supply reported progress.

The House adjourned at 10:33 p.m.

ERRATUM

No.	Page	Column	Line	Should read:
59	2151	1	24	Shingkawuk who signed the Robinson-Huron

CONTENTS**Tuesday, October 25, 1983****Committee of supply**

Estimates, Ministry of Intergovernmental Affairs, Mr. Wells, Mr. Roy, Mr. Breagh, Mr. Boudria, adjourned.	2447
--	------

Other business

Adjournment.	2473
Erratum.	2473

SPEAKERS IN THIS ISSUE

Boudria, D. (Prescott-Russell L)
 Breagh, M. J. (Oshawa NDP)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
 Harris, M. D. (Nipissing PC)
 Kerrio, V. G. (Niagara Falls L)
 McClellan, R. A. (Bellwoods NDP)
 Miller, G. I. (Haldimand-Norfolk L)
 Piché, R. L. (Cochrane North PC)
 Reid, T. P. (Rainy River L-Lab.)
 Roy, A. J. (Ottawa East L)
 Samis, G. R. (Cornwall NDP)
 Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
 Stokes, J. E. (Lake Nipigon NDP)
 Treleaven, R. L., Acting Chairman (Oxford PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Thursday, October 27, 1983

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 27, 1983

The House met at 2 p.m.

Prayers.

PRINTING OF LEGISLATIVE PAPERS

Mr. Martel: Mr. Speaker, on a point of privilege: On Tuesday you advised the Legislature that Hansard was being printed by in-house facilities. However, that still leaves me as a member of the Board of Internal Economy and my colleagues as members of the Legislature in an invidious position because, as I understand it, the other items—the bills, Orders and Notices, Votes and Proceedings—are being printed by Noble Scott and there is a strike there.

It is my understanding that someone else is doing that work. I am wondering if we are paying for that as members of this Legislature and being brought into a strike situation unwittingly. That leaves us taking sides with one or the other by continuing to make payment to whoever is doing the printing.

I would ask Mr. Speaker to find out who is doing the printing for Noble Scott while this issue goes on. If we are paying and taking sides in this strike, if we are in that invidious position, I would suggest that somehow we make arrangements immediately to prevent us being involved any further in that serious situation.

Mr. Speaker: I will be pleased to take that under advisement and report back as quickly as I get the information. Thank you.

COMMISSIONERS OF ESTATE BILLS

Mr. Speaker: I beg to inform the House that the Clerk has received from the commissioners of estate bills their favourable report on Bill Pr22, An Act to revive Silverstone Oil Company Limited.

VISITORS

Mr. Speaker: I would ask all members of the Legislature to join me in recognizing and welcoming in the Speaker's gallery the mayors and reeves representing northeastern Ontario who are attending a meeting at Queen's Park today. They are:

Representing the town of Cochrane, Mayor Fortier; the town of Hearst, Mayor Gagnon; the

town of Kapuskasing, Mayor Jewell; the town of Smooth Rock Falls, Mayor Duguay; the township of Mattice, Reeve Zorzetto—

Mr. Wildman: We pronounce Mattice differently.

Mr. Speaker: I did that knowingly. Having stood corrected before, I took the time today to find out and I was advised to pronounce it the way I did. It depends on whom you speak to.

Mr. Kerrio: Mais non, mais non.

Mr. Speaker: From the township of Moonbeam, Reeve Filion; the township of Glackmeyer, Reeve Genier; the township of Opasatika, Reeve Pineault; the township of Val Rita-Harty, Reeve Muriel Parent; the township of Fauquier, Reeve Raymond Grzela; from the Moosenee Development Area Board, the chairman, Gerald McAuley; and representing the Northeastern Ontario Municipal Association, Alderman E. R. White, president.

Notwithstanding the information I had to the contrary, I stand once more corrected on the pronunciation of Mattice, not convinced that I am totally right or wrong, however.

We have other visitors in the assembly today. I would ask all honourable members to join me in recognizing and welcoming in the members' gallery five students from the Ontario Students' Debating Union. These students are visiting the Legislature prior to attending a reception hosted by the Lieutenant Governor. Their names are:

Shafiq Qaadro, who was the top Ontario debater, 1982; Stuart Olly, top English debater, 1983; Lucille Lacelle, top French debater, 1983; John Heng; Judi Wyatt, president of the Ontario Students' Debating Union; Don Schnurr, immediate past president; and David Lavoie, French debate co-ordinator.

STATEMENTS BY THE MINISTRY

PROPERTY TAX GRANTS

Hon. Mr. Gregory: Mr. Speaker, I would like to inform the members of an important event tomorrow in the ministry's Ontario property tax grants program. It concerns the mailing of tax grant cheques and will, therefore, be of particular interest to their constituency offices and senior citizens in their ridings.

On September 2 the Ministry of Revenue mailed out some 600,000 application forms for the second instalment of the 1983 grant to all eligible seniors. By the end of last week this total had risen to 615,000 applications. As of October 21, 540,000, or 88 per cent, of these applications had been returned to my ministry, of which some 510,000, or 94 per cent, have now been fully processed and are ready for payment.

As members will recall, the first instalment of up to \$250 of the property tax grant was received by seniors earlier this year, in May, along with their home heating grants. These recent applications, therefore, determine the amount of the second and final payment owed to each applicant during 1983 and will be the basis for the 1984 interim payments.

For seniors who turned 65 in the first half of the year and, hence, did not receive the first instalment of the grant, the full year's entitlement to a maximum of \$500 will be issued to them in the form of one cheque. However, seniors who have turned 65 in the second half of 1983 will receive their applications by January 1984.

I am pleased to report to this assembly that the first mailing of the final 1983 property tax grant instalments will begin tomorrow when 510,000 cheques totaling \$124 million are issued. The average value of each cheque is \$243. Mail-outs will continue thereafter on a twice-weekly basis until all applications from late filers have been processed.

2:10 p.m.

I know all members are aware of the significant contributions these grants make to seniors in paying their municipal and school taxes. With tomorrow's 510,000 cheques, 125,000 seniors in Ontario will have been reimbursed for 100 per cent of their property taxes. For another 90,000 seniors, at least 75 per cent of their property taxes are offset; for 156,000 seniors, between 50 and 74 per cent are paid, and for 140,000 seniors, up to 49 per cent of their property taxes are paid.

As well, I should point out to the honourable members that the Ministry of Revenue will shortly be sending out the annual sales tax grant to seniors who have turned 65 by September. Altogether, \$45 million will be paid in \$50 grants to 900,000 seniors next December 2. Ontario residents turning 65 in October, November and December of 1983 will receive their sales tax grant in January 1984.

The Ministry of Revenue is continually examining and refining the way applications are

processed. In particular, this year inquiry facilities have been restructured to improve response time, inquiry research and call-back functions. As well, a problem in past years has been the length of time taken to issue a replacement application if the original was lost or returned to my ministry as undeliverable. Consequently, all requests for supplementary applications now receive immediate and special attention. These applications are sent out within 10 days of request.

Our improvements, however, will be most readily apparent to the members through an increase in our assistance to their constituency offices. This year we established a new unit dedicated to resolving inquiries made directly by seniors to their local MPPs. The majority of inquiries are resolved while a member's constituency assistant is still on the phone. More complex inquiries are deferred to inquiry research specialists, each of whom is directly responsible for a group of constituency offices. These specialists then contact the constituency office immediately upon resolving the problem.

The response to this service from federal MPs and MPPs has been most favourable. I assure the members my ministry will continue to maintain and enhance this unique working relationship in recognition of the invaluable information assistance afforded the tax grant program by MPPs and their constituency office staff.

A further measure undertaken by my ministry involved information sessions held in some 20 cities and towns across Ontario. Ministry staff offered an advance preview of the 1983 property tax grant application form and a detailed explanation of the Ontario tax grant program to staff in constituency offices, community information centres, federal income security offices and Northern Affairs offices, and to other organizations which assist seniors.

In addition, a special training session was held in Toronto for ethnic information centres. These sessions provided a chance for people who are most often asked to assist seniors in completing forms to get firsthand information about the program from specially trained ministry staff. Moreover, the Ministry of Revenue has established telex contact with the 32 field offices of the Ministry of Northern Affairs and responds on a priority basis to inquiries made through these offices.

Finally, the successful move of my ministry's head office operations to Oshawa provided the opportunity significantly to upgrade our walk-in

inquiry centre in Metropolitan Toronto. This centre is now located at 50 Grosvenor Street near Bay Street in the same building as the Ontario Government Bookstore. One benefit of this new location is we now have a much more convenient storefront operation, which is visible to the general public and very accessible to our senior citizen clients. Since it opened on September 6, this office has already dealt with over 2,100 inquiries on a personal basis.

This summarizes a series of key developments relevant to the 1983 tax grants program for seniors. This Legislature can be assured that further reports will be made by my ministry to ensure that all members and their constituency staff are kept fully informed of the progress of this important Ontario government program.

COURTS OF JUSTICE ACT

Hon. Mr. McMurtry: Mr. Speaker, the Courts of Justice Act that I will be introducing today represents a significant step in the reform of civil procedures in Ontario. The process was initiated in 1975 when I asked the late Walter Williston, QC, one of Ontario's most distinguished lawyers, to assume the task of chairman of the Civil Procedure Revision Committee. In June 1980, after extensive consultation with the judiciary and the legal profession throughout the province, the committee's report was published. The committee recommended a complete revision of the rules of practice applicable to the Supreme Court and county and district courts.

Unfortunately, Walter Williston died shortly after the Civil Procedure Revision Committee issued its report. However, a subcommittee of the rules committee, chaired by Mr. Justice Morden of the Court of Appeal, has almost finished the preparation of a completely new set of rules based on Mr. Williston's recommendations. I have no doubt the new rules will stand for many years as a tribute to the dedication with which Walter Williston served the administration of justice.

The Courts of Justice Act will provide the framework for the new rules. In addition, it is intended to revise and consolidate the many statutes that establish courts and regulate their procedures. Some of these statutes date back many decades and contain numerous archaic and obscure provisions. The Courts of Justice Act is intended to modernize this legislation. The act is based on draft legislation published earlier this year by the Ministry of the Attorney General, on which we received many helpful

comments from the judiciary and members of the legal profession.

The number of changes proposed in the Courts of Justice Act make it impossible for me to describe every one at this time. There is one matter, however, I would like to emphasize today. It concerns the independence of the judiciary. Last May this Legislature enacted changes to enhance the independence of provincial judges by removing the involvement of the Lieutenant Governor in Council from the decision as to whether a provincial judge may continue to serve beyond retirement age.

In addition to re-enacting these recent amendments, the Courts of Justice Act contains a number of other provisions intended to enhance the independence enjoyed by the judiciary in this province. For example, the act implements recommendations made several years ago by former Chief Justice Gale that are intended to provide a fair procedure for judicial council investigations of complaints against provincial judges. The act also provides that a provincial judge may be removed from office only on the address of the Legislative Assembly, a procedure similar to that which applies to Supreme Court and other federally appointed judges under the Canadian Constitution.

Another section of the Courts of Justice Act provides a statutory foundation for the Ontario Provincial Courts Committee, which was established several years ago to make recommendations concerning the salaries and benefits of provincial judges. All these provisions, as well as others in the act, are intended to enhance the independence of the men and women who have dedicated themselves to the public service in the provincial judiciary.

There are a great many other changes proposed in the Courts of Justice Act, and I look forward to discussing them with my colleagues in the House this fall. I hope this House will seriously consider the enactment of this bill before the new year, so that the act and the new rules can both come into force next July 1.

INFLATION RESTRAINT LEGISLATION

Hon. Mr. McMurtry: Mr. Speaker, on Tuesday I outlined our preliminary conclusions on this week's judgements of the Divisional Court on the Inflation Restraint Act. I am able to inform the House that an application for leave to appeal those decisions to the Court of Appeal is now being prepared and will be submitted at the very earliest opportunity.

I should add that our concern arises from the

implications of the very broad interpretation given by the court to freedom of association under the Charter of Rights and Freedoms. It could create doubts about the validity not only of Ontario statutes but also of those of other Legislatures in Canada.

As I stated on Tuesday, these cases mark the beginning of the interpretation of freedom of association under the charter and not the last word. It is important in all the circumstances that these issues be canvassed by a higher court.

2:20 p.m.

HYDRO REACTORS

Hon. Mr. Andrewes: Mr. Speaker, you will recall that on October 11 I informed members of the status of Pickering unit 2, following the failure of a pressure tube on August 1. Today I wish to make members of this House aware of a decision by Ontario Hydro regarding unit 1 at the Pickering nuclear generating station.

Unit 1 is virtually identical to unit 2 and has a similar operating history. Ontario Hydro has determined that a comparison between the tubes removed from unit 2 and the tubes in identical locations in unit 1 would further the investigation into the causes of the G-16 tube failure in unit 2. As a result, Hydro intends to shut down unit 1 as soon as scheduling permits within the next two weeks.

Mr. McClellan: You said this was impossible.

Mr. Speaker: Order.

Hon. Mr. Andrewes: Four pressure tubes will be removed from the reactor and sent to Chalk River laboratories for comparative metallurgical analysis. At the same time, the location of the spacers, commonly known as garter springs, between calandria tubes and pressure tubes will be checked.

The Atomic Energy Control Board has been consulted on this decision.

I am advised that Ontario Hydro is releasing information on these matters this afternoon.

ORAL QUESTIONS

HYDRO REACTORS

Mr. Peterson: Mr. Speaker, I have a question of the Minister of Energy; it concerns Bruce, not Pickering, on a related matter.

The minister is aware that over the weekend construction workers at Bruce reported a frenzy of activity regarding inspection of the reactors at the Bruce B site for possible garter spring migration. This is the same problem that Ontario Hydro is going to be looking at in Pickering,

according to his statement today. He is also aware that units 5 and 7 are being X-rayed to see how many garter springs moved out of place during the installation. It has been reported that at least one garter spring was found at least a metre out of place.

If the garter springs are out of place at full capacity, there could be an excessive sag in the 21-foot pressure tubes which would run into the calandria, causing hydriding and premature embrittlement. What is the status at Bruce today? Would he report to this House immediately on what is happening?

Hon. Mr. Andrewes: Mr. Speaker, I cannot report on the immediate status of activity at Bruce today as is requested by the Leader of the Opposition. I will be pleased to obtain that kind of up-to-the-minute update, but I am sure that sort of information will be available from Ontario Hydro in the discussions surrounding the decision related to Pickering unit 2.

As the Leader of the Opposition is aware, the question of garter springs on the reactors at Bruce is being studied to determine whether their movement has contributed to the hydriding and embrittlement of reactor tubes as a preliminary study into the whole aspect of the problems at Pickering unit 2.

Mr. Peterson: It is my understanding that the instrumentation has not been developed at this point to move those garter springs if they are out of place. There is some experimental technology with respect to vibration or electromagnetic pulse, but at this point the technology is not there, which event would require a complete tearing down of the reactors. Is that the case, or is the technology in place to move those garter springs should that become necessary?

Hon. Mr. Andrewes: I am not in a position to give accurate information on that. Ontario Hydro is the operating agency for those reactors, and that question in terms of the details would be more appropriately posed to that agency. I will be pleased to advise the Leader of the Opposition if he wishes those details; I will take the question as notice and do so at a later time.

Mr. Rae: Mr. Speaker, can the minister give us an estimate of the cost of shutting down unit 1 at Pickering? Can he tell us whether there are plans to do tests on the reactors at Bruce? If so, can he give us any estimate of what that would cost?

Hon. Mr. Andrewes: Mr. Speaker, again the leader of the third party is posing a question that

requires some detailed explanation. I said in my statement that Ontario Hydro will be releasing information with respect to Pickering units 1 and 2, and I would ask the leader of the third party to refer those questions directly to Ontario Hydro at that time.

Mr. Peterson: I remind the minister that it is his responsibility to report to the House on these very important matters. Is he denying accountability? Is he saying to us that we should be running around phoning the chairman of Ontario Hydro for the answers to these questions? It is his responsibility to answer them in this House. Very serious questions are being raised.

Mr. Speaker: Question, please.

Mr. Peterson: It is a very important point, Mr. Speaker, and you may want to speak to him about it privately.

My question is this: We have been in touch with Ontario Hydro officials, and they report to us—and I want to make sure I have the correct understanding—that one cannot check for any misalignment of the garter springs if those units are operating. There is some worry at the present time, not only about Pickering but about Bruce as well, that there is a series of misalignments of these garter springs which could lead to serious questions.

As the minister knows, Bruce B, Bruce unit 6 is ready to start up in the next month or so. There is some question as to whether there is a misalignment there. How can one be sure there is no misalignment in the other reactors if one cannot check them because they are operating? How can one be sure the problems are not endemic right across the entire system?

Hon. Mr. Andrewes: The Leader of the Opposition has raised this point about the garter springs. He is accurate in his statement that the reactor must be shut down for the proper sonic equipment to be utilized to make the examination. I am confident that the agencies, Ontario Hydro and the Atomic Energy Control Board, are prepared to make this examination if they deem it appropriate.

The question of the garter springs is one theory being advanced as to the possible cause of the tube rupture in Pickering unit 2, but it is only one of a number of theories.

YOUTH EMPLOYMENT

Mr. Peterson: Mr. Speaker, I have a question for the Treasurer with respect to the program for youth unemployment that we suggested yesterday. He has had an opportunity to apply

his mind to that program as well as to the statistics that are available to him. He is impressed, I am sure, with the gravity and the seriousness of the problem we are facing.

Is he persuaded now that his government has a responsibility to act with respect to improving the future prospects for our unemployed, particularly our hard-core unemployed young people? What is he going to do about it?

Hon. Mr. Grossman: Mr. Speaker, we have always said we have that obligation. I have indicated several times that a good part of the exercise that will commence with our fall economic statement leading up to our spring budget will be focused on that need.

Mr. Peterson: The minister is losing time. The spring budget will do nothing this winter. It is obvious what is going to happen with the statistics. I am not happy about having to come back three months from now and say, "I told you so." Therefore, we are telling the minister now. He knows what is going to happen.

He is aware that the existing programs such as the Ontario career action program soon will be out of money and will need another \$7 million to \$10 million. He is also aware that the winter Experience program budgeted 200 fewer positions this year than last. Given the gravity of the situation, could the minister be persuaded to bring in a program now to meet the problems this winter is sure to present?

Hon. Mr. Grossman: First, let us understand that the employment picture in Ontario is improving significantly and dramatically.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Grossman: Yes, of course it is improving dramatically. Any analysis of the figures, be they from this government, Statistics Canada or the federal government, will ascertain that. It is quite clear.

Just to put some of the initiatives in some perspective as we look at the proper options to mount, I think the responsible thing for us to do is to work with the federal government, which is now at a rather late stage indicating that it is prepared to enrich programs specifically for youth unemployment. The federal minister has talked about \$40 million being available. As I indicated a couple of weeks ago, the responsible thing to do is to deal with the federal government to try to see where it is going to target that \$40 million so we do not overlap that program.

As well, it is important to remember that some of the impact of some of the programs we

have already brought in will just be beginning to be felt this fall.

2:30 p.m.

I read, not at great length, some of the details of the program the Leader of the Opposition announced yesterday. While it had some features that warrant study—indeed, it is almost a direct copy of what is being done in the United Kingdom—I think it is important to note—

Mr. Nixon: We don't care where good ideas come from.

Hon. Mr. Grossman: I know who the Leader of the Opposition's heroes are.

Interjections.

Mr. Speaker: Order. Do you want to hear the minister's answer or not? Minister.

Hon. Mr. Grossman: In terms of whether we find that particular program attractive, it is important to juxtapose its value against the things we are already doing. Let us have a look, for example, at the program the Leader of the Opposition indicated he thought we should mount, which was to deal with 28,000 youths. He expected a 50 per cent takeup on it; that would be 14,000 jobs. The cost—

Mr. Nixon: It was 28,000 jobs.

Hon. Mr. Grossman: No. It was 28,000 youths, with a 50 per cent takeup—14,000 jobs. As I read the press release, it indicated the cost would be \$90 million to \$139 million. Compare that to our youth employment program, for example, which the Leader of the Opposition referred to a moment ago. It provides not 14,000 jobs but 55,000 jobs, costing not \$90 million but \$30 million.

Mr. O'Neil: But they're all temporary jobs.

Mr. Speaker: Order.

Hon. Mr. Grossman: We can go through the Ontario career action program, which has \$17 million providing 13,200 jobs, about as many jobs as the program the Leader of the Opposition suggested yesterday for an extra \$90 million or \$100 million. I could go on and on.

The fact is that all of our programs to date amount to much more cost-effectiveness. For the same amount of money the Liberal Party's program would have us spend, we are providing not 14,000 jobs but 100,000 jobs through our current programs. Those are programs that are already in place in this province, and they do not include our other programs that are specifically targeted to youth.

All in all, I conclude that while we are still searching for more programs to target more and

more problem areas with youth unemployment, the fact remains that the programs we have in place are far more cost-effective than any other that have so far been brought to our attention. They are covering far more people than any other programs we have heard about to date.

Mr. Foulds: Mr. Speaker, I would like to ask the Treasurer a simple question. What specific actions is his government going to take, which the Treasurer will announce in his fall budget statement, that will meet the enormous problem of the unacceptably high level of youth unemployment in the province today?

Hon. Mr. Grossman: Let me be clear, Mr. Speaker. The fall economic statement is not intended to introduce new programs but to begin the stage towards new budget-making. If the honourable member does not want to have some input into that, that is his choice, but we did not hold that out as a fall budget. We canvassed the possibilities of a fall mini-budget and decided we would wait a bit and get a better feel for where the economy is going to go in the next period of time.

Let me add that the existence of that statement some time next month neither precludes nor invites any special initiatives in the youth employment area or in any other area. We may go before that time; we may go after that time. We will have to measure it as we watch the figures unfold and as we analyse some new program suggestions we are currently looking at.

Mr. Peterson: The Treasurer chooses deliberately to distort and make—I do not want to be uncharitable—unrealistic or even dishonest comparisons. We are talking about 14,000 man-years of employment. Let him compare it to his short-term programs and give us an honest comparison. Let him study the figures and come back to the House. We will welcome his interpretation. Ours is a very cost-effective program.

In spite of all those good programs—and we are not against them—there are still 159,000 unemployed young people on the streets of Ontario today. That is a reality. We are suggesting a new program that would address the problem of the hard-core unemployed who do not have the educational skills to compete.

I wonder whether the minister agrees with the former Provincial Secretary for Social Development (Mrs. Birch), who said, in addressing the very same problem we are trying to address: "Over the past few years, statistics show that these young people, who have limited skills or

who face other barriers to finding a job, remain on the unemployment lists year-round. If not given a chance to acquire job skills, this segment of the youth population will always have difficulties in the labour market." Does the Treasurer agree with that?

Hon. Mr. Grossman: Let me point out that the program the Leader of the Opposition announced yesterday did not talk about 14,000 man-years of employment. Reading his communiqué, it seems to talk about "servicing approximately 14,000 youths each year."

The Leader of the Opposition talks about year-round programs. He keeps alleging that we do not have year-round programs—

Mr. Peterson: Read it then.

Hon. Mr. Grossman: I may have read it more closely than my friend did.

The Leader of the Opposition talks about year-round programs. As he probably knows, OCAP is a year-round program.

Mr. Bradley: But the money has dried up.

Hon. Mr. Grossman: As I said here a couple of weeks ago, none of those programs will suffer in terms of lack of money. If more funding is required for youth employment programs, it will be made available under our current programs. It would be more cost-effective to enrich our current programs than to undertake the kind of new programs suggested yesterday.

We have the OCAP program which is year-round. We have several other programs, together with the federal government in terms of our job creation programs, our capital project acceleration programs, many of the Canada-Ontario employment development fund opportunities which are being accessed by young people and on and on. I could read the list.

To sum up, yes, I agree with the statement made by my colleague, and that is precisely why we have a program that has created 100,000 new job opportunities for young people, only in those areas and programs targeted specifically to youth. The total number of youth assisted by our government programs would be far in excess of 100,000 because they have participated so widely in the COED and other programs.

Yes, I agree with that statement. Yes, I believe we have done far more than the program of the Leader of the Opposition might invite us to do. Yes, I believe we have to continue to search for more opportunities. Yes, I agree with the need for year-round programs. That is why we have some, and that is why, as Treasurer, I am prepared to enrich any of our current

programs to date, because they all seem to be working quite effectively.

MALVERN SOIL CONTAMINATION

Mr. Rae: Mr. Speaker, I would like to ask a question of the government House leader and Minister of Intergovernmental Affairs. Last night he was quoted in the news, and in one of the newspapers this morning, as saying he would have an announcement to make shortly with respect to the fate of the McClure Crescent properties and the removal of radioactive soil from those properties.

Does the minister have a statement to make? Does he have a commitment to make with respect to the removal of radioactive soil? What is the delay in making that statement to the House today rather than making it on the news last night? Why does he not have something to tell us today?

Hon. Mr. Wells: Mr. Speaker, first, I feel a little sorry that my friend did not invite me along on his tour of McClure Crescent today. I would have been happy to take him around the riding. I notice the Leader of the Opposition (Mr. Peterson) did not invite me along either.

Mr. Peterson: You should show up.

Hon. Mr. Wells: Pardon? What was that?

Mr. Speaker: Never mind the interjections, please.

Hon. Mr. Wells: I think my friend will find I showed up there many times.

Mr. Speaker: Would the minister please address himself to the question of the member for York South?

Mr. Foulds: Do you need an invitation to go into your own riding?

Hon. Mr. Wells: I do not need an invitation, but it is nice to let the local member know when one member of this House is coming in.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Wells: I would have been happy to lay on a lunch for my friend—

Mr. Speaker: Order.

Hon. Mr. Wells: I think that, first and foremost, the people who are most interested—

Mr. Boudria: The Speaker is standing up now.

Mr. Speaker: I was just going to observe that this was deteriorating into a personal debate. However, you corrected yourself and started to answer the question; so proceed.

Hon. Mr. Wells: Thank you, sir. I was going to say to my friend that the people who are, first and foremost, interested in the announcement that will be made will be the people on McClure Crescent. In my view, they are the ones who should hear this matter first, not the members of this Legislature. Therefore, I have arranged, along with the federal member, the Honourable Paul Cosgrove, to outline for the people of McClure Crescent and anybody else who wishes to attend, the arrangements that will be made to remove the soil from around those homes.

We have never said we would not have that soil removed and we have always remained steadfast in that commitment. This meeting will be held at that place at 7:30 p.m. on November 7. Along with Paul Cosgrove, I will indicate exactly how it will be done, where the soil will go and all the details, and answer any questions from the residents. Everyone is welcome to come to the meeting.

2:40 p.m.

Mr. Rae: The residents of McClure Crescent, as the minister knows, have been waiting for a long time and they have heard from the minister before with respect to delays and with respect to things coming around the corner.

Can the minister guarantee to this House and to the residents of McClure Crescent today that the radioactive soil on McClure Crescent will be removed from the backyards of those houses by the end of 1983. Can he make that guarantee in the House today? Yes or no?

Hon. Mr. Wells: First of all, from the day of the discovery of that soil, I guaranteed to the residents that soil would be moved and we have never deviated from that commitment. That commitment will be fulfilled—

Mr. Rae: Yes, but it has been three years.

Hon. Mr. Wells: —and the timing of it will be announced on November 7.

Mr. Peterson: Mr. Speaker, given the string of broken promises to the residents of Malvern, the minister knows he will be greeted with some cynicism and only be well treated when it is finally gone.

Let me ask him another question related to that matter. Given all that those residents have suffered—all the personal problems, the anxiety, the worry; and I wish I could release to him some of the letters that I have received but I do not wish to embarrass those people—does the minister not think, as a member and the responsible minister, it was a dirty trick of his government to appeal the decision of the province's tax

assessment review court to reduce the property tax from \$1,000 or \$1,500 down to \$100? His government appealed, putting the taxes up on those properties that are worth virtually nothing today. Is that not a dirty trick?

Hon. Mr. Wells: Mr. Speaker, I have answered this question to a number of the residents and I have indicated to them that we had no alternative but to appeal because I think the tax assessment review court that reviewed that matter perhaps erred in reducing their taxes. I fully agree that they should have a reduction in assessment because of the problem that is present and that reduction should remain at least until we correct the problem.

The \$100 does not even pay one tenth of the education costs for the children in those homes, so it really becomes fairly obvious that an assessment at the level that was set is not equitable for all the residents in the area. We have really no alternative at this point but to appeal that decision.

My friends will recall that we debated a bill that is still on the order paper, Bill 174, in this House and I did not get much helpful support on that bill from the two opposition parties. They all told me they were going to vote against the bill.

Mr. Rae: The hard fact of the matter is that these homes are the most important investment the residents of McClure Crescent will make in their lives and that investment has been devalued significantly. There are many other problems as well, of which the minister is well aware. These are the result of the events that have taken place at McClure Crescent.

Is the minister prepared to stand in his place and say that his government is prepared to provide compensation for those residents who have suffered real economic hardship as a result of what has happened over the last 30 years on McClure Crescent?

Hon. Mr. Wells: I cannot comment on that because those residents have a case in the courts at the present time. They are taking various people to court over that matter and it is going to have to be decided by the courts.

Nobody is denying the fact there has been some hardship on those residents. I mentioned Bill 174. The members of this House all indicated they would vote against that bill unless I indicated where the soil was going to go. In other words, we were interested in having it removed—I do not deny that all members would support me in that—but unless they knew

where it was going to go they would not vote for that bill.

I indicated I would not bring the bill back until we could announce where it was going to go. I had hoped that perhaps in the interval some member of this House might have come to me and said: "I have the ideal place for that soil. Why don't you bring it up to my area?" For instance, the member for Huron-Bruce (Mr. Elston) could have told me he would like to have the soil up at the Bruce hydro plant. I did not hear him come forward with that. I have not heard anyone come forward and say to me, "Pass that bill and I have a place in my riding for that soil."

Mr. Rae: The minister has misled the House. If he looks at the speech of our environmental critic, he will see exactly the statements we have made with respect to—

Mr. Speaker: Order.

Mr. Rae: He has stated something in the House which is simply not true.

Mr. Speaker: Order. The member for York South has made an inappropriate statement in the heat of debate that I am sure he is going to withdraw.

Mr. Rae: I would be happy to withdraw what I said if I am allowed to say that I believe—

Mr. Speaker: No. The honourable member just stops right there.

Mr. Rae: The record will speak for itself. Those who want to look at Bill 174 and the debate will see the discrepancy between what the minister said and what transpired in that debate. There is a major—

Mr. Speaker: Order, please. This is not the period for making speeches. It is the time for oral questions.

[Later]

Mr. R. F. Johnston: Mr. Speaker, I have a point of privilege arising out of answers given by the Minister of Intergovernmental Affairs in terms of two statements he made at which I take personal offence.

First, he said that no honourable members on this side had given any assistance to him on Bill 174. To clarify the record, I would like to let you know, Mr. Speaker, that both I and the member for Hamilton Mountain (Mr. Charlton) indicated that although we were not willing to give blanket permission to put the soil anywhere, which is what the bill said, we suggested at least two venues where that soil could be placed. We thought these suggestions were quite helpful

and guaranteed we would support that on behalf of our caucus. I think that should be made very clear.

Mr. Speaker: I must point out that is not a matter of privilege. It is a matter to which the member took personal offence, apparently.

Hon. Mr. Wells: Mr. Speaker, may I just clarify that? All I was saying was that I did not receive any indication from any members that they would vote for the bill as it was.

Mr. R. F. Johnston: No. You said more than that.

Hon. Mr. Wells: If I said more, then I am sorry.

Mr. Speaker: Order.

Mr. Wildman: Mr. Speaker, on a point of privilege: I would like to have you consider very carefully the comments made earlier by the Minister of Intergovernmental Affairs to the effect that when members of this House are visiting other members' ridings, they should give notification first. I would hope that is now government policy.

Mr. Speaker: Your point is well taken, and I would hope it would refer to all members.

ALZHEIMER'S PATIENTS HOME CARE PROGRAM

Mr. Rae: Mr. Speaker, I have another question for the minister of many hats in his role as the acting Minister of Health. It has to do with the fact that the Ottawa-Hull Alzheimer Society, as I am sure the minister may be aware, is starting one-day-a-week day care for four patients suffering from Alzheimer's disease at St. Patrick's Home for the Aged on Riverside Drive in Ottawa.

St. Patrick's is donating the space. The Ottawa-Hull Alzheimer Society is providing a volunteer staff of a registered nurse with special geriatric training, a psychologist and two other volunteers, including one with a PhD in psychiatry. Can the minister explain why the Ministry of Health turned down a request for funding from the Ottawa-Hull Alzheimer Society with respect to this particular program?

Hon. Mr. Wells: Mr. Speaker, I cannot tell my friend why the ministry turned down the request but I would certainly be glad to look into it. Any group that is willing to provide this kind of service and help is worthy of some support. It may be that the group should be getting it from another ministry, at the moment I cannot say, but I would be glad to look into it because I think it is a very worthwhile request.

Mr. Rae: What is at stake here is the integrity of the government's home care program and its ability to deliver on the home care promise. We have had statements going back to 1981 with respect to home care. We had a statement from his predecessor that home care legislation was going to be forthcoming and was necessary in order to provide the scope and focus for the delivery of home care programs.

Can the minister give us a commitment today that before the end of this month, or before the end of November, or before the end of December—give us a time, give us a place—he is going to introduce home care legislation that will allow these groups and other similar groups to provide the delivery of care at home for people who deserve that care and who at the moment are not getting that care, or who are currently undergoing tremendous costs as a result of that care. Will he finally deliver on the promises that have been made in this Legislature for years and years with respect to home care?

2:50 p.m.

Hon. Mr. Wells: I certainly agree that is a very worthwhile service and it is something I will look into. I cannot give the member any commitment beyond that now, but I certainly sympathize with it and will—

Mr. Rae: Where is the legislation? Larry promised it last year.

Hon. Mr. Wells: Besides looking after the soil and all the other problems concerning hospitals and nursing homes, I have not had time to look at home care yet. I will look at it and I will look sympathetically at what my friend has indicated.

Mr. Rae: I would like to give the minister one example in a letter that was written to the Minister of Health (Mr. Norton), a copy of which was sent to me as well as to other members.

How does the minister feel about the fact that Mrs. Joan McCord Roose, living in Ottawa, whose mother is 87 and is a victim of Alzheimer's disease, is having to pay \$1,200 a month in nursing fees for someone to come in and provide care at home? How does the minister feel about that?

Is he aware of the number of people who are being forced to pay \$500, \$1,000 and as much as \$1,500 a month to provide nursing care at home? He says he is too busy, he has a lot of other things to do and he is not aware of whether he is going to be able to find the time to deal with this question of home care. It is costing the

people of this province a lot of money. It is putting them into debt. It is causing them difficulty. Why is the minister not going to act on this question?

Hon. Mr. Wells: I did not say that. My friend was making good points with me in his argument until he started into the last part of the rhetoric, the histrionics. Perhaps after he has been in the House a little while he will learn he can make a little more headway by just stating his case rather than trying to embellish it a little.

Mr. Epp: Mr. Speaker, I have a question for the Attorney General (Mr. McMurtry). I notice he has just left his seat. If someone might try to get him, I will stand down my question until he comes.

FOREST REGENERATION

Mr. Van Horne: Mr. Speaker, while that is happening, I have a question for the Minister of Northern Affairs, again deferring from the Minister of Natural Resources (Mr. Pope) who it seems has not been around here for the last week.

The question is on the tree production nursery complex in the Swastika region. This project which was begun as a result of a 1981 election promise was abruptly cancelled earlier this year. The deputy regional director of the Ministry of Natural Resources has referred to this episode as "a bit of a mistake."

Given that 10 contracts were signed with private growers to provide the same nursery stock after this project was begun, can the minister tell us whether this is just a case of mismanagement? Can he tell us what really did happen and why this Swastika project was cancelled?

Beyond that, the news reports indicated that not just \$200,000, but several hundred thousand dollars had been spent on this project. Can the minister indicate to us how much this mistake cost?

Hon. Mr. Bernier: Mr. Speaker, as the member has correctly pointed out, this is a matter for the Minister of Natural Resources. I will take the question as notice and report back to him.

Mr. Van Horne: I would ask further that the minister investigate this comment from the Canadian Pulp and Paper Association: "Governments and the private sector will have to triple their investment in the forestry industry and, unless this is done, Canada will be facing a shortfall of wood fibres within the next dozen years."

Would he also investigate that the container stock superintendent for the northern region expects a shortage of tree production by 1986, somewhat less than the dozen years. In the light of these concerns, what is he going to do to assist this vital industry?

Hon. Mr. Bernier: Those of us who are here on a regular basis have heard the Minister of Natural Resources on many occasions spell out what they are doing on reforestation and regeneration programs. I am sure if the member would check Hansard, he would find the answers to those questions.

Mr. Laughren: Mr. Speaker, I would endorse what the member for London North has said. When the minister is talking to his colleague the Minister of Natural Resources, would he ask him—I would have thought he would have already asked this question of his colleague—why, when we are going to need increased production of seedlings in the next few years, is that minister not using the opportunity to establish tree nurseries in the many very small, relatively isolated communities all across northern Ontario? Is it not an ideal opportunity to provide an additional economic base for those communities?

Hon. Mr. Bernier: Mr. Speaker, if the honourable member would go around and visit many of the small northern communities and areas in northern Ontario, as I do, he would see that the Minister of Natural Resources has already complied with that. But those members go to the major centres, like Thunder Bay, and do not receive any attention or recognition. They do not know what is going on and they make accusations and criticisms that they have no knowledge about.

LEAD ASSESSMENTS

Mr. Martel: Mr. Speaker, I have a question of the Minister of Labour. In an article which appeared in the *Toronto Star* on October 22 regarding Westinghouse, it would appear that controversial decisions to downplay worker concerns were made in Toronto.

Let me quote: "What has made Gray's labour board foray against the inspectorate and Westinghouse so fascinating is the eye-opening evidence from ministry bureaucrats about how controversial decisions to downplay worker concerns were made. Some officials have testified, for example, that the content of peculiar and controversial tests, reports and decisions they

signed was not their own but dictated by the higher officials of the ministry."

Who is writing these reports from the office of the Minister of Labour? Why are the facts being altered to downplay the issue? Rather, the ministry should be going out to enforce them vigorously.

Hon. Mr. Ramsay: Mr. Speaker, I am sure there are no facts being altered, but the underlying response to the honourable member would have to be this: The matter he is referring to is before the Ontario Labour Relations Board. They are trying to get questions to an awful lot of answers. It is a rather complex—

Mr. Foulds: We are trying to get answers to an awful lot of questions.

Hon. Mr. Ramsay: Pardon?

Mr. Foulds: You've got it backwards.

Hon. Mr. Ramsay: I am sorry; that is what the member for Sudbury East does to me; he gets me back to front.

It is a very complex hearing and it would not be appropriate for me to comment on it at this time. These matters are being dealt with in the appropriate forum.

Mr. Martel: I will try a supplementary. I realize what is there. Is the minister aware that Mr. Bergie of his ministry stated that he had notified the Toronto office of "alarming"—his word—levels of lead tests at Westinghouse on July 12, 1982, and that his assistant deputy minister denied the ministry had any knowledge of these until September 12?

Is he aware that in this same report—is it not the same report that I managed to get myself into trouble over in that his assistant deputy minister stated also she had no knowledge of the results of the tests conducted in October 1982, despite the fact those results were in eight days before that report was drafted and presented in this Legislature?

Hon. Mr. Ramsay: There is absolutely no change in the position of my assistant deputy minister in that matter.

BARRIE ANNEXATION

Mr. Epp: Mr. Speaker, I have a question for the Attorney General. No doubt the Attorney General is aware of last week's unanimous decision by the three Divisional Court judges which overturned an Ontario Municipal Board ruling of June 3 regarding the annexation by the city of Barrie of land owned by the township of Vespra.

Given that the three judges cited bias on the

part of the two OMB hearing officers, both senior members of the OMB, and given that both municipalities have incurred legal expenses of hundreds of thousands of dollars over the past eight years due to the bungling of the provincial government and the Ontario Municipal Board, is the minister prepared to reimburse these two municipalities for the legal expenses they have incurred over the last number of years?

3 p.m.

Hon. Mr. McMurtry: I would not think so, Mr. Speaker. I have heard of the judgement, but I have not actually read it, particularly that aspect of it which I think is the core of the judgement, the issue of bias that the member has raised. Certainly, my preliminary view is that it would be inappropriate, but I will review the decision and may have something further to add.

Mr. Epp: Does the minister not think the provincial government has a responsibility in this area with respect to reimbursing these municipalities? Given the fact that the OMB has been accused of this bungling—and the mayor of the city of Barrie has called it a fiasco—is the minister intending to speak to the chairman of the Ontario Municipal Board regarding the continuation of service of these two senior members on the board?

Hon. Mr. McMurtry: I think all members would agree that on a day-to-day basis the Ontario Municipal Board serves the citizens of this province in a very effective and dedicated fashion. To suggest on the basis of one judgement that two members be removed is certainly not a suggestion I would seriously consider.

Mr. Nixon: What do you want? Two out of three? Are you going to appeal?

Mr. Speaker: Order.

NIAGARA REGIONAL POLICE

Mr. Swart: Mr. Speaker, I have a question of the Solicitor General about the Niagara Regional Police. Incidentally, they are the Niagara Regional Police, not the Niagara Falls Police, as the minister said in his answer last time.

The minister must be aware that, without any advertising being done for other applicants or without inviting any other members of the Niagara Regional Police to apply, one of the deputy chiefs of that police force, James Gayder, was appointed by the Niagara Police Commission on July 5, 1983, to take over as the new chief when Chief Harris retires at the end of this year.

Is the minister aware that at the time Mr. Gayder was appointed by the police commission, two internal police investigations were under way concerning a certain gun matter in which he was involved with gun dealer Mark DeMarco: one, an investigation into breaches of the Police Act and the department's code of conduct, and the other by the special criminal investigation unit into contravention of the Criminal Code?

Does the minister believe the commission was wise and acted in the best public interest by that appointment in that manner under those circumstances?

Hon. G. W. Taylor: Mr. Speaker, on matters of employment of personnel within the individual police forces of the province, be they regional or municipal, appointments are made by those commissions and the commissions make those decisions.

There is usually one representative from the municipality on most commissions and two appointed by the province. The larger ones, the regions, usually have two individuals, and in this region they have a county court judge sitting on the commission. That judge, the elected official who sits there and the three appointed officials have come to a decision after reviewing the candidates seeking the position and have made a decision on the successor to the chief who will shortly be retiring.

In these matters they sometimes ask the Ontario Police Commission for advice on how to interview and on the manner and method of selection, and sometimes such assistance is given by the Ontario Police Commission. As the member well knows, however, it is the ultimate decision of the individual police commissioners. When they make their investigations into the selected candidates, I assume they do a thorough and knowledgeable background search and know all the assets and deficiencies of the different candidates. They make their decision knowing full well that background information.

Mr. Swart: It is my understanding that the Solicitor General has some responsibility for the overall quality of policing in this province.

Specifically, is it not true that the special criminal investigation unit has found there is sufficient evidence to charge Deputy Chief Gayder under subsection 94(1) of the Criminal Code and so reported to Chief Harris two months ago?

If this is the case, would the minister not agree Mr. Gayder should not be sworn in as the new chief now or at any time until those charges are

satisfactorily disposed of in an open way? Does this not prompt the minister to reconsider his limited investigation and opt for a full, open investigation of all levels of the Niagara Regional Police?

Hon. G. W. Taylor: On the investigation of the Niagara Regional Police, I would remind the honourable member he requested a full investigation be initiated and I have done that. It is an independent investigation. That has been done in the normal course of events, as these take place through the Ontario Police Commission. It has initiated that investigation. When it is completed, we can make a decision at that time on the evidence provided by that investigation. This is usually done in the normal course of events.

Somebody else in that area, one of the lawyers involved, asked for a similar style of investigation, not the one the member is now mentioning that he desires, namely, a wide, public and expansive investigation. I feel the present one will find us the immediate solution to the problem, if there is a problem, as he alleges there is.

ROAD SYSTEM FUNDING

Mr. Eakins: Mr. Speaker, I have a question for the Minister of Transportation and Communications. As the minister is aware, the impact of a good roads system on job creation and tourism cannot be overemphasized. Yet since 1975 there has been a 12 per cent reduction in real dollars for road system funding which, according to his own ministry standards, has resulted in 28 per cent of all municipal roads and streets in Ontario being deemed inadequate, as in the district of Muskoka where 51.4 per cent of the roads are inadequate or in the county of Hastings where 42.4 per cent of the roads are inadequate. In rural areas this is a major cause of motor vehicle accidents.

In view of these facts, would the minister assure this House that he will reassess his government's position of underfunding our roads system, which the Ontario Good Roads Association points out is the most counterproductive policy the government could adopt?

Hon. Mr. Snow: Yes, Mr. Speaker, I will. I would like the honourable member to send me over those figures because I think the reduction is somewhat more substantial than what he quoted.

Mr. Eakins: Since many municipalities in the Hanover and other areas appeared before a

rural task force urging improved and more direct routes to their areas, will the minister indicate how many previously planned projects and tenders were not called this past summer? What does this mean in terms of dollars?

Will the minister guarantee to us in this House, to the Ontario Good Roads Association and to all municipalities in Ontario that action will be taken now to provide the level of funding necessary to reverse this situation?

Hon. Mr. Snow: I can only supply the level of funding that is voted by this Legislature. If the Legislature votes more funding, I will pass it on to the municipalities.

INFLATION RESTRAINT LEGISLATION

Mr. Rae: Mr. Speaker, I wonder if I could catch the Premier before he leaves. I would like to ask him a question.

Mr. Speaker: Place your question, please.

Mr. Rae: The question has to do with the statement made today by the Attorney General (Mr. McMurtry) of the province. I am delighted the Attorney General has recognized that the case before the Divisional Court and the judgement of the three judges has broad implications for the interpretation of freedom of association and the relationship between that concept and inflation restraint, as well as other major pieces of provincial legislation.

In the light of that decision by the Attorney General and in the light of his comments today, would the Premier not agree that it is extremely invidious to be contemplating the introduction of yet another major piece of legislation with respect to inflation control which may prove to be contrary to the Constitution of this country, given the meaning of the phrase "freedom of association" that was adopted by the three judges in the Divisional Court?

Would he be prepared to make a commitment to the Legislature that no such legislation will be introduced until such time as the Court of Appeal of this province has rendered a decision with respect to the question on the constitutionality of legislation put forward by the government of Ontario?

3:10 p.m.

Hon. Mr. Davis: Mr. Speaker, perhaps the leader of the New Democratic Party has not had an opportunity to keep up with everything that has been said on this issue. I think the Treasurer (Mr. Grossman) has said the decision would not alter what is being contemplated by the government.

Mr. Rae: With great respect to what the Treasurer has said and what the Premier has just said, the judges are on record as saying freedom of association implies the right to organize, the right to bargain and the right to strike. In addition, it implies a right to negotiate free from restraint, unless that restraint is of an extremely limited nature and of a very specific kind.

What the judges have said is directly related and touches directly on the question of inflation restraint. Given the very different economic circumstances today from a year ago, I suspect judges might take a very different view of the kind of approach the government might or might not be contemplating.

Mr. Speaker: Question, please.

Mr. Rae: I ask this question again of the Premier: Given the fact the government was not successful in convincing the court with respect to section 13(b) of the Inflation Restraint Act as it was passed last year, how can he be so sure, how can he be so confident the court will be persuaded by yet another intervention from the Attorney General of this province with respect to the constitutionality of inflation restraint and wage restraint legislation in this province?

Hon. Mr. Davis: With respect, Mr. Speaker, either the leader of the New Democratic Party did not hear my answer or he did not understand it. I thought it was, for me, really very clear.

Interjections.

Hon. Mr. Davis: It was clear. I said very simply my understanding is the Treasurer has already said publicly that the probable new approach of the government will not have that as a problem. I would further add that I am not one who would prejudge what a court would say in any event, if the member was asking me what we would say. I am referring to that particular section which was the subject of discussion on Tuesday.

Mr. T. P. Reid: Mr. Speaker, at the risk of hearing the answer exactly the same way, though the Premier has never been able to remember what he said two minutes before, can we presume from the Premier's answer that because there could have been a case made for urgency last year with the inflation rate being what it was then, with the rate now being down around five per cent, there will not be any limit put on the bargaining power, because the urgency of the high rate of inflation now does not exist and, therefore, that part of the judges' decision will not affect what the Treasurer will bring in?

Hon. Mr. Davis: Mr. Speaker, I really cannot add anything to the very excellent answer I gave the member for York South except to make an observation. Here again we have an example of the Liberal Party of Ontario one day a year ago saying, "Without question it should be a two-year program, comprehensive, covering the world," while today the financial critic is saying, "Gosh, maybe it should have been a one-year program."

Mr. T. P. Reid: The rate of inflation isn't 12 per cent.

Mr. Speaker: Order.

REMEMBRANCE DAY

Mr. McGuigan: Mr. Speaker, in the absence of the Minister of Education (Miss Stephenson), I would like to ask a question of the Premier.

Is the Premier aware that Remembrance Day, November 11, this year is not a school holiday, and the Royal Canadian Legion agrees with that policy? It does create some problems, especially in small municipalities and ridings like mine. I would like to explain that in Blenheim we go to the cenotaph where there is a service. We go to the Legion in Blenheim and have lunch. Then in the afternoon we go to the nearby village of Erieau and go through the same service.

Mr. Speaker: Question, please.

Mr. McGuigan: In view of the fact that it takes a day to do these activities, and the only way a veteran teacher could now attend would be to use his sick leave, would the Premier confer with the Minister of Education and see if a directive can be sent out allowing these people a day off as in former times?

Hon. Mr. Davis: Mr. Speaker, I thank the member for notice of the question, which was a process we used to use in days gone by; it is written notice of the question. He stated in his notice to me exactly what he has stated in the House, except he did not give me the example of his travelling from certain communities to other communities. He did not put that in his letter.

I think I would be more than prepared to take this up with the Minister of Education. I sense from people in the Legion in Brampton, some 200 feet from my own home, that the response to the decision to have November 11 observed within the school itself would give the day more substance and more meaning. That was the intent, and I think it is an intent that would be supported by all members of the House.

At the same time, I personally—and I am only speaking personally—would be very sympathetic

to veterans who are members of the teaching profession, who are part of a ceremony within an individual community or perhaps two or three communities, feeling their place is properly at a particular service. I would have great sympathy for that. I am not sure the minister can send out directives per se, but I will certainly discuss this with her and see if that can be communicated to the boards.

I am only guessing at this, but I think we are talking about a relatively small number. I do not think it would affect, in a substantial way, the academic program within the school system. There is a tendency to forget the relevance of November 11. Certainly, as head of government I would not want to stand in the way of any veteran participating in a service of this nature. For me, this is fundamental, and I certainly will take it up with the Minister of Education.

Mr. McGuigan: I do not need a supplementary. That was a very complete answer.

ABITIBI-PRICE MILL

Mr. Wildman: Mr. Speaker, I have a question for the Minister of Industry and Trade in regard to the task force that was set up by his predecessor, at the request of his colleague the Minister of Labour, to study the future of the Abitibi-Price mill in Sault Ste. Marie.

Can the minister indicate to us the current status of the task force study? When does he anticipate a report from the study? What is the position of the government with regard to the future of the Abitibi operations in Sault Ste. Marie, considering the limits that have been awarded to Abitibi north of Sault Ste. Marie by the crown of this province?

Hon. F. S. Miller: Mr. Speaker, I would have to go back to get the exact status of the study. When I was in Sault Ste. Marie a couple of months ago, I did talk to a number of people who are very interested in the outcome. Sault Ste. Marie has unquestionably suffered more than almost any other community in Ontario in layoffs of late. Obviously, very real concern was expressed about the future of that mill.

That was recognized three or four years ago. We had the pulp and paper program. That was one of the older mills, and it was my understanding that money was being invested at that time to keep the mill up to date. I believe within the last week some announcements were made, by either the chairman of Abitibi-Price or somebody in the company, which were optimistic. However, because I do not have the details at

my fingertips, I would prefer to go back and review them and then answer the question.

Mr. Wildman: Is the minister aware that Abitibi has invested substantially in the southern United States, in development of new mills and renovations of older mills it has purchased with the profits it has made out of its operations, largely in northern Ontario? That being the case, is it the position of the government that this company has an obligation to maintain employment in the mills in northern Ontario, and specifically the mill in Sault Ste. Marie, which should have had a lot more money invested in upgrading over the years?

3:20 p.m.

Hon. F. S. Miller: I am not only aware of the mills in the south, I have visited some of them. They have one advantage that almost any new factory has anywhere in the world: they have modern technology. They also have very low wood costs. Most of the mills in the southern United States have wood costs that are perhaps as little as one third of the costs in Canada. Most of the mills depend upon delivery by rail or public road; so they do not have the costs involved in their own hauls and the distances are not as great—

Mr. Stokes: It is because you have been negligent in not shortening the rotation.

Mr. Speaker: Order.

Hon. F. S. Miller: The study my ministry did when I was Minister of Natural Resources was to determine how many of Ontario's mills were in a condition that allowed incremental investment to upgrade them and make them economically feasible because of the threat from the United States. From that review came the pulp and paper program, probably the most important single program ever initiated in Canada to upgrade a sector of any industry. It has had amazing success across the north.

VANDALISM DURING DEMONSTRATIONS

Mr. Kells: Mr. Speaker, I have a question for the Minister of Government Services. The minister will be aware that some time subsequent to the anti-cruise missile demonstration, which went on before this building last Saturday, the front entrance of the building and the main walkway leading to it were defaced by four painted signs.

There is a need to protect public property from vandalism and to protect the integrity of this House and the safety of the people who work in this building, especially in the light of

the reported intention of some representatives of various groups in the anti-cruise missile coalition to escalate the level of protests to acts of civil disobedience.

Would the minister please inform this House as to the identity of the member in whose name permission to demonstrate in front of the building was granted? I think I know the answer to that. Would he also inform us of the cost of repairing the defaced property and who will be paying for the repairs; when this vandalism was first detected and reported, and what security arrangements currently exist to police crowds of that size which demonstrate around this building? Finally, will he tell us what can be done to reduce the possibility of such vandalism occurring at or after future events of this kind?

Hon. Mr. Ashe: Mr. Speaker, I hope I remembered all the questions. The first one related to the sponsor and the issuing of a permit, for want of a better description. I should clarify first that it is not required that a permit to have a demonstration be sponsored by a member of this Legislature. Where some form of control comes into it is if the demonstration requests either the use of amplification equipment or the use of electrical equipment for its own amplification system; then we do require the sponsorship of a member. In the case of the situation on Saturday, the member for Scarborough West (Mr. R. F. Johnston) was the sponsor of that application.

There was vandalism done some time on the weekend and, as the Speaker probably knows, a suspect was apprehended by the Metropolitan Toronto Police relative to the possible damage of this building and other buildings along University Avenue. I would not want to comment on the suspect's innocence or guilt—that is not my responsibility—however, I think it is safe to say that kind of activity would not be condoned by anyone here.

An article I read in a local tabloid by a bearded member of the press gallery—with his new picture beside his byline—indicated my views as well as anybody has done. I do not know how one can avoid that type of situation. Security for this building, as the Speaker well knows, is not under the purview of the Ministry of Government Services but under a body associated with the Ministry of the Solicitor General. I understand there is regular patrolling of the outside of the building. I suppose the only answer is further patrolling, obviously at increased cost to the taxpayers.

The defacing outside has not been eliminat-

ed. We have tried many different kinds of chemical washes. We have been able to make it not so obvious. The next thing we are going to try is water bombing; we do not want to go to sandblasting unless we have to, because it will change the colour of the sandstone.

Interjection.

Hon. Mr. Ashe: We are going to use the water bombers that this province very wisely bought.

Mr. Martel: Why don't you use the jet?

Mr. Speaker: Order.

Hon. Mr. Ashe: As far as the cost is concerned, I do not know all the answers because we do not have the solution yet. It is estimated it will be somewhere in the area of \$2,000 to \$3,000 and, of course, who but the taxpayers pay for this very obnoxious act of a ridiculous individual.

UNITED WAY AUCTION

Mr. Riddell: Mr. Speaker, on a point of privilege: For a second year, the staff of the Legislative Assembly, who are under your jurisdiction, worked very hard to stage an auction to raise money for the United Way. They are to be commended for their efforts.

I had the privilege of conducting the auction this year, and I want to express my gratitude to such honourable members as the member for Scarborough East (Mrs. Birch) and the member for Lakeshore (Mr. Kolyn), who were excellent bidders, and the member for Nipissing (Mr. Harris), who left his bids by proxy because he could not attend. I also want to mention the member for Lake Nipigon (Mr. Stokes), the member for Nickel Belt (Mr. Laughren), the member for Brant-Oxford-Norfolk (Mr. Nixon), the member for Kent-Elgin (Mr. McGuigan) and the member for Grey (Mr. McKessock). It takes these kinds of people to make a sale.

I understand the staff members did get over their goal. More than \$900 was raised by the sale, and the goal was surpassed by I do not know how many dollars. However, it was a bit of a disappointment to me, and I am sure it must have been a disappointment to the staff of the Legislative Assembly who staged this auction, that out of 124 members of this Legislature, only 10 or 12 members showed up to actually bid on the items, knowing that the money is to be used for an extremely good purpose; that is, to go to the United Way.

I would hope that if the staff go through the work of conducting a similar auction next year,

we might expect more of the members to come out and support us in our efforts.

Mr. Speaker: Thank you. On behalf of all members of the Legislature, I would like to thank the member for Huron-Middlesex (Mr. Riddell), who so very excellently conducted the auction and, I might say, extracted rather good prices as well.

3:30 p.m.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. Wrye: Mr. Speaker, I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

Mr. Martel: Leo is afraid someone might upstage him even though he has the cheques.

Mr. Speaker: Order.

Mr. Wrye: I would think that my friend the member for Sudbury East (Mr. Martel) would want to hear this very important petition.

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 337 teachers in the ridings of Windsor-Sandwich, Windsor-Walkerville and Windsor-Riverside.

Ms. Bryden: Mr. Speaker, I have two petitions to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario in a similar vein to the one presented by the member for Windsor-Sandwich (Mr. Wrye).

The petition is signed by three teachers who live in my riding but teach at Grenoble Public School, and they petition the Legislature "to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

I support the petition.

Mr. Sargent: Mr. Speaker, with the same preamble as outlined before, this petition is to

the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, and it is signed by 250 teachers in Bayview, Strathcona Senior, Victoria, Dufferin, Alexandra Community, Hillcrest, Derby Central, Keppel-Sarawak, Sydenham Central and Osprey Central elementary schools, all in Owen Sound.

Mr. Stokes: Mr. Speaker, I have a similar petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which says briefly:

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by teachers from the Marathon, Manitouwadge and Terrace Bay public schools.

I also have a petition in a similar vein from the Valleyview school in Kenora and the public school in Ear Falls, on behalf of my colleague the member for Kenora (Mr. Bernier).

Mr. Eakins: Mr. Speaker, I have a similar single petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario as presented by Mr. Bruce Hawkins of Little Britain.

Mr. Epp: Mr. Speaker, I have petitions to submit from constituents of mine who work in various schools in other areas; they are the Torrance and College Avenue schools in Guelph, Alma school, James McQueen school and Westwood public school. They are similar to other petitions that have been presented this afternoon and on previous days.

Mr. Elston: Mr. Speaker, I have a number of petitions signed by teachers in the province to the same extent as others previously submitted. Some of these are from members in adjoining ridings but were delivered in a batch to me. They come from Port Elgin-Saugeen Central public school, Lucknow public school, G. C. Houston school in Southampton, Wiarton public school, Walkerton, Elderslie Central, Arran Tara elementary, Kincardine, and Eastnor Central at Lion's Head.

NOTICE OF DISSATISFACTION

Mr. Swart: Mr. Speaker, I rise to give notice under subsection 28(a) that I am dissatisfied with the answer given to my question by the Solicitor General (Mr. G. W. Taylor) and we will have a special session at 10:30 tonight. [Later]

The Deputy Speaker: Pursuant to standing order 28(b), the member for Welland-Thorold

has given notice of his dissatisfaction with the answer to his question given by the Solicitor General concerning an investigation into the Niagara Regional Police. This matter will be debated at 10:30 this evening.

REPORTS

STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Kerr from the standing committee on regulations and other statutory instruments presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr39, An Act to continue the Corporation of the Union of Townships of Eilber and Devitt under the name of the Corporation of the Township of Mattice-Val Côté Act.

Your committee further recommends that the fees, less the actual cost of printing, be remitted under Bill Pr35, An Act respecting St. Augustine's Seminary of Toronto.

Motion agreed to.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. McLean from the standing committee on general government reported the following resolution:

That supply in the following amount and to defray the expenses of the office of the Provincial Auditor be granted to Her Majesty for the fiscal year ending March 31, 1984:

Administration of the Audit Act and statutory audits program, \$4,140,900.

STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Robinson from the standing committee on social development reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Colleges and Universities be granted to Her Majesty for the fiscal year ending March 31, 1984:

University support program, \$1,231,505,900; skills development program, \$681,291,500; student affairs program, \$132,573,700.

MOTIONS

ESTIMATES

Hon. Mr. Wells moved that the estimates of

the Ministry of Transportation and Communications be reduced by three hours.

Motion agreed to.

COMMITTEE SITTINGS

Hon. Mr. Wells moved that the select committee on the Ombudsman be authorized to sit the morning of Wednesday, November 2, 1983.

Motion agreed to.

HOUSE SITTINGS

Hon. Mr. Wells moved that on Wednesday, November 9, the House will adjourn at 6 p.m. and not 10:30 p.m. as previously ordered.

Motion agreed to.

INTRODUCTION OF BILLS

COURTS OF JUSTICE ACT

Hon. Mr. McMurtry moved, seconded by Hon. Mr. Wells, first reading of Bill 100, An Act to revise and consolidate the Law Respecting the Organization, Operation and Proceedings of Courts of Justice in Ontario.

Motion agreed to.

COMPENSATION FOR VICTIMS OF CRIME AMENDMENT ACT

Mr. Kennedy moved, seconded by Mr. Lane, first reading of Bill 101, An Act to amend the Compensation for Victims of Crime Act.

Motion agreed to.

Mr. Kennedy: Mr. Speaker, the bill would double the maximum awards that the Criminal Injuries Compensation Board is authorized to make.

3:40 p.m.

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES AND RESPONSE TO PETITION

Hon. Mr. Wells: Mr. Speaker, I would like to table the answers to questions 313, 314, 315 and 317, and the response to a petition presented to the Legislature, sessional paper 100, standing on the notice paper [see Hansard for Friday, October 28].

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS RESIDENTIAL TENANCIES AMENDMENT ACT

Mr. Ruprecht moved second reading of Bill 59, An Act to amend the Residential Tenancies Act.

Mr. Speaker: Before the honourable member proceeds, I would point out to him that he has up to 20 minutes for his presentation and may reserve any part of that time for his windup.

Mr. Ruprecht: Mr. Speaker, I would like to speak for 15 minutes and reserve the right to readdress the chamber for five minutes at the end. I am saddened to see the Minister of Consumer and Commercial Relations (Mr. Elgie) is not here to participate in the discussion of this important legislation that affects thousands of tenants, not only in the city of Toronto but also in other metropolitan areas across this province.

Since rent review legislation came into effect, we have seen some very swift sharks, the owners of some apartment buildings, trying to circumvent this legislation by declaring some units to be "transient living accommodation." That, of course, should mean that these units would then be withdrawn from rent review legislation and the six per cent guidelines would no longer apply.

The way they were doing it was by throwing a few sticks of furniture into some units that became empty, either through evicting tenants or through creating some problems so that tenants would go away, then declaring them to be furnished suites. Under this guise, they were "transient living accommodation." Of course, rents went up to the point of being tripled. We have proved that this happened.

The area of Parkdale was especially badly hit. We can identify over 300 units that have been affected by this most recent onslaught or change in the interpretation of these guidelines. I am thinking of 96, 109 and 166 Jameson Avenue, and the well-known Sunset Towers at 200 Jameson Avenue. We are talking about 300 units that are affected by the interpretation of this legislation. Many of these people have been thrown out on to the streets. As we all know, the rents of these units have then tripled.

The Minister of Consumer and Commercial Relations says, "Don't be very much concerned about this problem because it is well in hand," and, as he has indicated on many occasions in the House and in his letters to me, "We should not be concerned because the present legislation covers this and there will be no loopholes."

Mr. Boudria: That is what they said about the trust companies.

Mr. Ruprecht: That is right. That is precisely what he had indicated before it became known there were big loopholes and gaps in that legislation and they had to be covered. If there

are no loopholes in the present legislation, then why are so many of our tenants, hundreds of them, being hurt? I would even say close to 2,000 units across Metro Toronto alone are being affected by these loopholes and many people have to do needless suffering.

The minister says we should take comfort. All of us know that Toronto Apartment Building Co. Ltd. is the main culprit or the leader in providing imaginative ways to circumvent the Landlord and Tenant Act and the Residential Tenancy Commission. The minister says, "Toronto Apartment Building Co. Ltd."—for short, Tabco—"has not yet managed to persuade the Residential Tenancy Commission that its converted units fall within the definition of exempt units under subsection 4(a) of the Residential Tenancies Act."

He says the problem arises that the members of our party do not understand the legislation. He then goes on to indicate, and I quote from his letter, that we should be happy because "the individual commissioners who presided at various hearings involving a number of different capital properties arrived independently at the conclusion that the units should not be exempted, but rather that they fall within the specific guidelines."

What worries us especially in this interpretation, and where we find little comfort in this knowledge that all the commissioners who have rendered decisions to date with respect to conversions of this type have independently arrived at the proper conclusion, is that our contention is—and that is precisely our fear—this matter is then subject to the interpretation of each individual commissioner based on each individual case.

Therefore, the potential exists for an individual commissioner to come to the independent conclusion at some point that the landlord's request to have units exempted under subsection 4(a) is indeed valid. That is precisely the problem. Each of the commissioners can come to this conclusion independently and that means the legislation is not tight.

This is why we first requested that we ask the board of commissioners of the Residential Tenancy Commission to review the situation and to make the necessary changes. We have asked the minister to produce additions to the interpretation guidelines and, failing this, to provide amending legislation so that these loopholes can be plugged.

That is why today I have introduced second reading of Bill 59 to plug the specific loopholes,

because here in Bill 59, under subsection 4(a) of the Residential Tenancies Act, only units that are bona fide hotels are permitted under the municipal zoning bylaws to withdraw from the six per cent guidelines. We think this is very important legislation inasmuch as it plugs the loopholes that the minister has failed to plug.

The problem is simply that when we look at the development or history of what has recently taken place since last April, we find companies are very imaginative when it comes to finding new ruses or new ways to circumvent this legislation, even though the Residential Tenancy Commission had indicated to Tabco, "We have found that you are overcharging 54 tenants in an amount varying from \$2,000 to \$17,000 in one building alone."

This legislation has been so loose that for over a year and a half this company was able to overcharge 54 of its tenants in one building alone—mark this; let me repeat it—was able to overcharge 54 units amounts varying from \$2,000 to \$17,000 in one building alone. We know for a fact that there are many other buildings, and when one adds up all the buildings of Toronto Apartment Building Co. Ltd., we find they probably owe in excess of \$500,000 to some of the residents of these buildings.

3:50 p.m.

The minister still stands up in this House and says, "Look folks, this whole situation is covered." I am somewhat ashamed to have to go back to Parkdale and indicate to my own people that we are not able to move this minister to specific action to plug these loopholes. That is why Bill 59 is here today.

We would assume that the government in its wisdom will see fit to support this particular bill. If it is not supported, what happens? Specifically, what happens is that many of the tenants who have already been thrown out, many of those people who are in these buildings, are really facing grave consequences inasmuch as there is uncertainty as to what they will do tomorrow.

Landlords, especially Tabco across Toronto but also in other centres of Ontario, are saying to their tenants: "We want you to leave so that we can withdraw these units from the Landlord and Tenant Act and the Residential Tenancies Act. We want to withdraw these units." That is what they are saying to these tenants. The only answer the tenants can have, of course, is either they comply and pay triple the rent or, because of some harassment, they are being forced to move.

What really happens is when these tenants—

and there are hundreds of them, as we have identified on one street alone—move from an area, transient people are moving in. I am classifying transient people right now as people who are coming from other centres and who are staying for the night, two nights or three nights—mostly less than a week. I classify those people as transients.

When these units are furnished and made available as hotel-like accommodation for transient people, the whole area deteriorates. There is, therefore, a consequent danger involved. Not only are we hurting the tenants because they have to live under great fear of being moved out, thrown out, or having their locks broken, but in some cases, as we have heard, the mail has allegedly been tampered with in some of the buildings.

As soon as some of these buildings have been declared hotel-like accommodations, the post office has been notified. Just to indicate one of the excesses, the post office has then been requested that all the mail be placed in the hands of the superintendent in these buildings. The tenants who are still living there now have to face the superintendent on a daily basis and request the mail from the superintendent instead of being provided a mailbox with a key so that they have the privacy of their mail being protected.

If these loopholes are not plugged, the excesses are really great. Not only do tenants live in uncertainty but also their mails are being tampered with. Consequently it is a really regrettable situation.

The other fear I really have is that when tenants are moved out of hundreds of units—and this has already been the fact in Parkdale, in the Markham Road area of Metropolitan Toronto, Etobicoke and on Airport Road, where some owners are doing it already and are moving people out—these areas will turn into blighted areas. That is one of the other dangers, because when families are moved out to make a residence available for transients, two or three things happen right away.

The first thing that happens is that the schools will suffer and the programs will suffer because families are moving out from the area and consequently have to withdraw their children from the schools. The program suffers and the schools suffer.

The other significant thing is that when hundreds of transients are brought in, those who only want to have a party for the night and are consequently making a lot of noise in the building when ordinary people wish to sleep,

these tenants then are faced with partygoers, people use the elevators and that sort of thing.

What is even more significant is that there will be more traffic on the streets because more cars are coming in and the community will consequently deteriorate.

What is happening here is that we are moving in people who have made no commitment to a community and we are moving people out from apartments who have lived there sometimes for generations, because some of these buildings are old. They are asked to leave, asked to pull up, lock, stock and barrel, their whole community commitment.

So when this kind of shift is introduced, it is introducing a second New York, which as we have already indicated is filled with crime and dirty streets. It is that kind of scenario that we want to stop with this legislation.

Mr. Speaker, I see the clock is running out so I would like to reserve the last five and a half minutes of the time for debate for my reply to other members who may wish to discuss this matter at this time.

The Deputy Speaker: I thank the honourable member for his remarks. There is time remaining for your reply.

Mr. McClellan: Mr. Speaker, this is the first opportunity I have had to congratulate you on your appointment and I wish you well.

We are debating Bill 59, presented by my colleague from the great riding of Parkdale, to amend the Residential Tenancies Act, according to the explanatory note, in order to prevent conversions of rental residential units to transient living accommodation that are undertaken in order to escape rent review.

The aims of the bill are laudable. I really have some serious questions, however, as to whether the member for Parkdale, in drafting Bill 59, has actually managed to solve the problems he set out to solve.

For many of us in this House, certainly for my colleagues in the New Democratic Party, the issue of rent control and rent review is inextricably linked to the question of tenant security. Rent review is not simply a question of consumer protection. Rent control is first, foremost and fundamentally, a question of buttressing the security of people to the enjoyment of their homes without the threat of unwanted, forced eviction.

As the members know, evictions can take place for a number of reasons. They can be perhaps grouped into two categories: those that are economic evictions characterized by forc-

ing tenants out by virtue of raising the rents so they can no longer afford to stay in their homes, and those that take place as a result of conversion of the units to other uses. They are conversions for the purpose of transforming an apartment into transient living accommodation, into a hotel, into a condominium, some quasi-condominium or into any of a number of other uses which are different from the use for which an individual or a family has rented the premises.

So one cannot deal with the issue of security of tenure in isolation, or piecemeal or by way of a number of isolated, separate amendments to isolated, separate pieces of legislation.

It has to be seen as a rather complex whole which involves rent control and the question of economic eviction. It has to involve, as well, really tough landlord and tenant legislation guaranteeing the rights of tenants to protection against unnecessary, unjustified eviction for purposes of conversion or demolition. Third, it has to involve our legislation under the Planning Act and legislation governing our municipalities, so that municipalities are given, as part of their own planning processes, the power to prohibit landlords from converting apartment accommodation or housing stock into other kinds of uses and from throwing people out on the street.

That may be a rather long-winded way of approaching my colleague's bill, but I think it is essential to understand that the government is not going to be able to deal with all of the problems that confront tenants in our society by simply proceeding statute by statute, with an amendment to the Residential Tenancies Act and an isolated amendment to the Landlord and Tenant Act. Sooner or later somebody—and it has to be the government—has to understand the importance of all of these issues and how they are interrelated and bring in a package of major reforms that will complete the job that was begun in 1975-76 when rent review was introduced and when the modern Landlord and Tenant Act was introduced.

4 p.m.

Mr. Boudria: The member should not hold his breath.

Mr. McClellan: I will not hold my breath, but it is good advice.

I also want to say that we have an opportunity this year and in the early months of the coming year to do precisely what I am talking about. The Residential Tenancies Act has a sunset clause and it expires at the end of the current

year, the end of December 1983. This means the government has, of necessity, to bring forward new legislation to extend the Residential Tenancies Act, unless it wants to end rent review, which I really doubt very much.

It has, or will have very shortly, the report of the Thom Commission of Inquiry into Residential Tenancies which is studying the adequacy of our current rent review legislation. It has had the benefit of public testimony from a wide sector of the community. It will be in a position to bring in a package of reforms to the Residential Tenancies Act, to the Landlord and Tenant Act and to other statutes, if necessary, in order to secure economic security for Ontario's tenants and to provide protection against unjustified conversions and demolitions.

I may add in parenthesis that it would be a nice gesture of good faith if the government would provide quick passage to Bill Pr3, the request from the city of Toronto to give the municipality power to prevent unjustified demolitions. The government so far has been bent—and I am sure this is of concern to the member for St. George (Ms. Fish)—on torpedoing Bill Pr3 and preventing its passage, which is discouraging for those who hope the government will take the next step in modernizing its landlord and tenant legislation.

Unless people happen to be in that very privileged group of people in our society who are home owners, the government seems not to understand or to accept the principle that they have a right to security and the enjoyment of their own home. The old adage that a man's home is his castle seems to apply only to the people who have the advantage of being able to buy their own home. If a householder is in the position of renting his home, he still lacks many fundamental rights and very fundamental protections.

One of these is being talked about today, namely, the power of landlords arbitrarily to convert a person's home into some other kind of use and throw the person out in the street. At present the only right tenants have under the law is the right to be notified they are going to be thrown out into the street. Quite simply, this is a medieval attitude. It makes no sense in a modern, industrial society in which the majority of people are unable to enjoy the privilege and opportunity of buying and owning their own home. It is a simple reality, a simple fact.

How much longer is the government going to keep its head in the sand and say tenants are somehow second-class citizens who are not

entitled to the same kind of security around the most basic of all commodities, shelter, in our society? It is a very fundamental question of right and justice. It baffles me that the government has failed to follow through on the initiatives it was forced into in 1975-76 and again in 1978-79 to tighten up the loopholes in the Residential Tenancies Act and to tighten up the provisions in the Landlord and Tenant Act. This would guarantee a much stronger measure of security for tenants in the enjoyment of their own homes.

I intend to support Bill 59, even though I have questions about its adequacy, because I support the principle that tenants should not be subjected to unwarranted conversions for which they are then evicted. I hope my colleague the member for Parkdale (Mr. Ruprecht) will explain in his concluding five minutes the meaning of section 4a of his bill, which seems to suggest that a landlord would be able to convert a building to transient living accommodation or even to a bogus hotel upon application to the commission. All one has to do if one wants to turn one's place into a hotel is apply to the Residential Tenancy Commission to turn it into a hotel, as I understand the statute. I may be misreading Bill 59 and I would welcome a correction from the member.

Finally, I think in any legislation there have to be much stronger provisions against conversion per se. It is not enough to talk about ending the exemption from rent review; there also has to be a measure of specific protection against unwarranted conversion or demolition.

Mr. Williams: Mr. Speaker, in speaking to this bill today, I want to address a clause of the Residential Tenancies Act that I know has been the subject of considerable discussion and controversy in recent months. I refer to the question of apartment hotels and the type of accommodation which appears to fall close to the borderline of the exemption contained in clause 4(a) of the act.

This clause provides an exemption from the purview of the act to "transient living accommodation provided in a hotel, motel, inn, tourist home, hostel or other similar accommodation." In order to give some perspective to this issue, it is important to look at the legislative history of this clause. I am sure the member for Parkdale, the sponsor of this bill, will be most interested.

Bill 163, the Residential Tenancies Act, was placed before the standing committee on general government of this Legislature early in 1979. At that time, Bill 163 contained an exemp-

tion clause which stated simply: "This act does not apply to temporary living accommodation provided in a hotel, motel, inn, tourist home or hostel." There was no phrase regarding "other similar accommodation" contained in this section.

The committee spent some time considering the word "temporary." Concerns were raised by some members that this adjective might not be sufficient to ensure the act's applicability to permanent residents of hotels and motels and the other named types of accommodation. A motion was subsequently put before the committee, and I give credit where credit is due, by one of the members of the opposition. When they do on occasion come up with thoughtful, reasoned comments, we like to give them credit. I do not have an opportunity to quote them too often but in this case I will.

On this occasion the member for Riverdale (Mr. Renwick) put a motion to amend the original clause 4(a). The amended clause, which was finally adopted by the committee and subsequently by this Legislature, introduced two different elements into clause 4(a). First, the replacement of the word "temporary" by the word "transient" was accepted by the committee as providing clear protection for permanent residents in hotels; second, and perhaps even more important, the phrase "or other similar accommodation" was added. The bill before us today wants to remove that phrase.

The points raised in that brief debate in committee on Bill 163 concerning this phrase really go to the heart of our debate here today. In contemplating the words "or other similar accommodation," the committee of that day specifically considered whether the Residential Tenancy Commission should be granted a measure of discretion in determining the applicability of clause 4(a) to certain premises.

In arguing in favour of providing the commission with that discretion and flexibility at that time, the member for Riverdale observed: "I do not think there is a way in which one can take all the multiple situations which can occur and find a definitive method of satisfying the problem, no more than we can lock various types of accommodation into any one of the definitions. Whether it is a hotel, motel, inn, tourist home or hostel, it is subject to infinite gradations. I think we have got to leave the question under this act to the commission. If a question comes up and somebody wants to claim the benefit, he ultimately has to get the commission to make that determination."

4:10 p.m.

I thought that was quite a reasoned approach to the problem, and I feel his observations are as valid today as they were then. So too are the warnings to the committee made by the then Minister of Consumer and Commercial Relations (Mr. Drea). He stated in the debate:

"If they go to a hostel or to a rooming house and the rooming house has never made any bones about being a rooming house, there will be no difficulty; obviously they are under the act. But when they go to a rooming house that has conveniently put up the word 'hotel' in hopes of getting around everything, then that is where you run into the difficulty—you can call yourself a hotel and not be a hotel.

"It is not really dependent on the individual going in. It is on what the proprietor claims to be. If he is only offering transient accommodation, then I guess he really has a motel or hotel or what have you. But if he is offering accommodation on a long-term basis to the bulk of his business, then those are different circumstances."

Our experience with clause 4(a) to date indicates that the commission has exercised its discretionary power thoughtfully on a case-by-case basis, in the manner I believe was originally contemplated by the committee in examining Bill 163. The commission has considered a handful of rent review applications involving interpretations of clause 4(a) and the "similar accommodation" phrase in particular.

I stand to be corrected, but in considering those applications, to my knowledge, the commission has sought to determine the real nature of the units before it. It has sought to determine if the accommodation falls within the exemption, including such factors as whether the accommodation is licensed as a tourist facility by the municipality, as referred to by others in this debate. It has sought to determine whether the stay of its residents is temporary or long term and whether traditional hotel-like services are provided in the building, such as registration desk, laundry, housekeeping and furnishings.

It was my understanding that, to date, the Residential Tenancy Commission has not granted a single exemption under clause 4(a) to any of its so-called apartment hotels. More important, it appears the discretionary mechanism embodied in this section is functioning in a reasonable and consistent manner. In reviewing the amendment proposed in the bill before us today, I am struck by the fact that the discretionary factor has not been removed, only altered, and it is altered in a way that I think confuses rather than clarifies the issue.

Although the amended clause would delete the phrase "or other similar accommodation," a deletion designed, I assume, to more narrowly define transient accommodation, the addition of the words "bona fide" add a new and different element of discretion to the commission's mandate. This addition would essentially mean that the commission would continue to look at this section on a case-by-case basis. It would, however, necessitate replacing the objective factors embodied in the present test with a subjective inquiry into the motivation and good faith of the apartment hotel applicant.

In my opinion, that kind of inquiry introduces an unwelcome element of vagueness and arbitrariness into the decision-making process of this tribunal. The down side of the present clause 4(a) of the act is that it creates a sense of uncertainty among tenants and owners, but the amendment before us today does nothing to alleviate that problem. It merely replaces one discretionary test with another less appropriate one.

I accept the fact that from time to time we must review certain sections of legislation such as clause 4(a) of the Residential Tenancies Act, but that is in process, as referred to by the previous speaker. We are looking forward in a matter of weeks, if not months—I suggest it will be weeks—to having the Thom report before us. At that time, we will have sufficient ammunition to consider a comprehensive review and refinement of the existing system to improve upon what we already have there.

That is the time to address this and other considerations so that we can improve upon what is already good legislation. On this basis, I feel I cannot support this legislation before us today at this time.

Mr. Epp: Mr. Speaker, at the outset, I want to take the opportunity to commend my colleague the member for Parkdale for bringing forth this bill. On various occasions during the spring and fall, he has raised questions particularly in reference to the Minister of Consumer and Commercial Relations to try to draw to his attention and the government's attention the evils wrought by the fact that a loophole was included in the original legislation, which provides an opportunity to Toronto Apartment Building Co. Ltd. to convert apartment buildings to hotels.

I do not imagine they are doing this exclusively, but certainly they are the ones making a real profession out of these conversions. The reason they are doing this conversion of various

buildings is the shortage of accommodation, particularly in the downtown core area of Metropolitan Toronto. The government must share responsibility for the fact that very few apartment buildings are being built because we, on this side of the House, have from time to time proposed incentive programs to have apartment buildings built.

There are those who, in order to escape from reality, would attribute to high interest rates the fact that not many new apartment buildings—certainly not those built for lower-income people—are being constructed. However, that is a cop-out rather than a logical sequence of reasoning. There is no doubt it has had some impact on construction. It has obviously had an impact on construction of single-family homes, but this is not in itself the sole reason.

I am glad to see the Minister of Industry and Trade (Mr. F. S. Miller) is here, because as a former Treasurer he was directly responsible for the budget of this province, and in his many conversations with the Minister of Municipal Affairs and Housing (Mr. Bennett) and with his other cabinet colleagues, he could have brought about some kind of incentive for the construction industry to have additional units constructed.

In looking at the kinds of dilemmas the residents of these apartments have found themselves in, we find it is very frustrating for them, to say the least, and very disruptive for them suddenly to get notice that they have to move. At the best of times, this can be very upsetting, but at a time when we have a vacancy rate of around one per cent—and it fluctuates; it could be three quarters of one per cent or it could be one and a quarter per cent, but certainly it is not very high—these people have to find some other accommodation.

Where are they going to find it? They have possibly been living in these apartments for a number of years. Sometimes they are up in years, they are not people who are very mobile and they have to find somewhere else to live. The government, in the kinds of policies it espouses, has not been particularly sympathetic to the families that have had to move.

4:20 p.m.

I have one flyer here that describes the kind of situation these people are in. It has to do with the landlord, Toronto Apartment Building Co. Ltd., trying to force tenants to leave the building so that it could convert the apartments. It says:

"There are reports of glue being placed in keyholes, apartments being entered without permission by management for so-called evalu-

ation of property inspection, elderly persons being verbally told their rents had been increased. In one particular lady's case—she was 92 years old—she was told that her monthly rent was going up from \$214 to \$283, effective immediately. If they didn't like it or couldn't afford it, they would be evicted. Actual evictions were being served and, in other cases, notifications telling them they would be unable to renew any lease" etc.

A certain amount of pressure was being put on these people. This is particularly difficult for the people who do not have a lot of money and do not know where they are going to live, and is even more excruciating for the senior citizens of this province. My colleague the member for Parkdale has drawn this to the attention of the government, which in its wisdom could easily have brought in a bill correcting the error that was injected in the legislation and was proposed by the New Democratic Party a number of years ago.

I regret to say the NDP members have not been very vociferous in this area in trying to protect the tenants. That is understandable. As the member for Oriole (Mr. Williams) pointed out earlier—and I was going to read a quote, but there is no sense getting into a long explanation—this was proposed by the member for Riverdale. So I am not totally surprised that the NDP members have not been very vociferous in trying to protect these tenants, because they were the ones who proposed this for whatever reasons. Maybe they would like to explain the reasons.

We have the difficulty of these tenants being evicted, with very few places to go—there is a vacancy rate of about one per cent—having very little money to move, and then these particular apartment hotels being converted. I think that is going to be a blight on the face of Toronto, because these neighbourhoods are being affected, as the member for Parkdale pointed out.

These new apartment hotels do not have the kinds of facilities that one expects to go to when one visits another city. I am sure that when the Minister of Industry and Trade, the former Treasurer, travelled to the Far East, he wanted a hotel with restaurant facilities and such other things as people to carry his bags—although he may have had his own staff to do that—

Interjection.

Mr. Epp: Oh, he carries them himself, just like Jimmy Carter.

When people visit the city of Toronto and fill

in applications for these hotels, they are not getting the kinds of facilities they expect to get. That does not help the tourist industry of Ontario. Even worse, it takes away accommodation from the people who so dearly need it.

I hope the member for Oriole was not speaking for all the members on the government side. I hope all members of this Legislature in their wisdom will support this legislation. If there are some difficulties in it, my colleague the member for Parkdale will gladly entertain some amendments to it so it can be made more workable.

In essence, what we have to do is to remove that particular clause 4(a) of the Residential Tenancies Act. The member for Bellwoods (Mr. McClellan) mentioned earlier that the Residential Tenancies Act had a sunset clause in it. He was probably referring not to the Residential Tenancies Act but to Bill 198. We should remove clause 4(a) that refers to "or other similar accommodation."

Ms. Bryden: Mr. Speaker, I too support this bill, because it is an effort to plug one of the loopholes in the Residential Tenancies Act. But since the loopholes are legion, as has been brought forward by the various submissions to the Thom commission, I would have preferred to have had a bill that plugged a great many more of the loopholes. I hope this is just a step towards changing the Residential Tenancies Act to make it an effective piece of legislation to protect tenants.

We know the government never really wanted rent control. In 1975 they saw they were going to lose the election because there had been some very substantial increases in rents and there appeared to be a deluge starting of attempts to raise rents very radically and to charge what the traffic would bear.

The government decided that rather than lose the election, it would bring in rent control. It made it a campaign promise—although the New Democratic Party had been promising it for a considerable time during the campaign and before—and it brought in the legislation shortly after the election. Since then, it has been letting it be eroded so that now we have very little real rent control.

The legislation has been eroded by the fact that all new construction since January 1, 1976, is not covered. It has been eroded by the \$750 ceiling on rents that are subject to review; and since inflation has started to push rents up to that level and beyond, more and more units are being removed from rent control. It is being eroded by the fact that the act permits a

complete pass-through of refinancing costs, which means the tenants end up paying for the building several times over if the building changes hands several times.

There are many other loopholes which have been brought before the Thom commission. In effect, we do not have real rent review. I welcome an attempt to close one or two loopholes. But I would have liked to have seen many more covered, particularly the loophole where a landlord indicates he is going to make major renovations and the tenants have to leave during these renovations. Sometimes he is only pretending he is going to make renovations, or sometimes he makes only cosmetic renovations. Whether he makes real or pretended renovations, the effect on the tenants is that most of them leave and cannot afford to come back after the renovations. In effect, it removes affordable housing for those tenants.

Conversion to luxury apartments or condominiums is a method of reducing affordable housing. That is what we are talking about today, why we oppose conversions. With a vacancy rate that has been less than one per cent for the past several years, we cannot afford to lose any affordable housing. There was a slight improvement in the vacancy rate last June, but it was apparently due to one or two luxury condominiums coming on stream and Canada Mortgage and Housing Corp. was not able to pull those units out of its statistics. The false impression was created that the vacancy rate was being reduced.

4:30 p.m.

At this time, any conversion is completely unacceptable because the vacancy rate is so low. But it is particularly unacceptable because of the refusal of the government to permit the city of Toronto to have demolition control legislation under Bill Pr3 as proposed by the city of Toronto, which is adding to the crisis we are discussing today.

The government's reason, through the comments of the member for Wilson Heights (Mr. Rotenberg), the parliamentary assistant to the Minister of Municipal Affairs and Housing, was that it felt demolition control would be prejudicial to the financial and legal rights of private owners. Apartment dwellers also have financial and legal rights; they have rights to their homes in the same way as home owners have rights, but unfortunately it is not enshrined in legislation.

Apartment dwellers have a right to consider their homes and their neighbourhoods as places

where they have settled down and where they should have some security of tenure. Without demolition control, they have no security of tenure and they can lose their homes without compensation. A home owner cannot lose his home when it is taken, say, for a school or a road without compensation; but an apartment dweller, such as those who live in the Eglinton-Bathurst district, can lose his home and will end up with nowhere to go.

When Anne Johnston brought many of them down to the hearings before the standing committee on regulations and other statutory instruments last month, she reported that when they were asked what they would do if their apartments were taken over and demolished, they said they did not know; perhaps they would have to go to the cemetery. Certainly many of them would have to go to nursing homes, which would add to our costs of operating nursing homes.

We feel that this legislation should be considered by the government as a first step. It should bring in legislation that will cover all these loopholes and will permit the city of Toronto to have demolition control. The government should bear in mind that there is an election coming up, and this time the tenants of the province may decide they will not support this kind of erosion of rent review. If so, the government may not be able to withstand the tide this time as it did in 1975. After all, about half of the housing units in this province are tenant-occupied. This is something that they should keep in mind when they are considering the report of the Thom commission.

I draw to the House's attention that the chairman of the Residential Tenancy Commission, in appearing before the Thom commission, actually strongly backed up the tightening of the hotel exemption. That is what this bill is doing. If the government opposes this, it is opposing the recommendation of the chairman of the Residential Tenancy Commission.

Of the 42 buildings demolished in the city of Toronto in the past two years, not one was replaced by rental housing. All except seven of those were replaced by luxury condos. Of those seven, there were two freehold town houses, several mixed condominium-commercial buildings and an industrial parking lot. Not one new rental housing unit replaced those 42 buildings that were demolished in the city of Toronto. That is why we need legislation that will close the loophole that allows buildings to be demol-

ished and converted into anything besides rental housing.

I urge the government to consider this bill and to remember that there are 4,000 households on the waiting list for assisted housing in the city of Toronto. We need a strengthening, not a weakening, of rent controls.

Mr. Harris: Mr. Speaker, I have two brief comments. I had several, but I understand I am being limited to five minutes today.

I think every member of this House is aware that the Thom commission is currently conducting an exhaustive study of rent review legislation in the province. I believe it would be a mistake on the part of this House to further amend the Residential Tenancies Act without benefit of the advice of, or report from, the Thom commission.

I heard the excellent presentation of the member for St. George, and I would suggest that if her suggestions were adopted by the Thom commission and by the government, we would not be worrying about rent controls today. I compliment her on that presentation.

Concern has been expressed about the possible negative effect that converting residential rental units to transient or hotel-like accommodation could have on the supply of affordable rental housing in the province, especially in major urban centres with low vacancy rates.

A number of groups and individuals have voiced the fear that by using this conversion tactic, landlords are able to circumvent the provisions of the Residential Tenancies Act and by some means breach the spirit and intent of the legislation.

The bill before us today advises that we adopt a legislative solution to this conversion problem. Quite frankly, I think most members would want our rent review system to be as effective and equitable as possible, to reflect respect for the rights and interests of both landlords and tenants.

I do not believe the amendments proposed by the bill to clause 4(a) of the act are necessary to ensure that tenants are afforded the protection to which they are entitled under the Residential Tenancies Act. It is my view that the act and the decisions of the Residential Tenancy Commission have adequately protected tenants in the type of case under discussion.

I was interested in the response of Mr. P. C. Williams, the chief tenancy commissioner, to the Star editorial of March 21, 1983, which, as most of us here are aware, talked about too

many rent control dodges. That was the title of the editorial.

Mr. Williams pointed out that the editorial contained a legal error which could have serious consequences for Ontario landlords and tenants. Specifically, the claim that landlords are able to avoid Ontario's rent review legislation by converting rental buildings to apartment hotels is incorrect.

Mr. Williams noted that it is a matter of interpretation as to whether furnished apartments rented on a weekly or monthly basis would fall within the intended meaning of section 4 of the act. He went on to cite a number of cases involving properties in Mississauga, North York, Scarborough and Toronto which had come before the Residential Tenancy Commission, in which landlords had argued that apartment hotels fell within the exempt category. However, in each case the landlord's argument was rejected by the commissioner.

It should be noted that these cases were heard by different commissioners, each of whom independently arrived at a similar conclusion. I think the decision of the Residential Tenancy Commission on the cases heard today make it clear the commission is not satisfied that those converted buildings fall under the section 4 exemption.

4:40 p.m.

In general, the commission has found the converted units have much more in common with apartments than hotels and consequently remain subject to the act. They quite simply have not proved a successful dodge, or method of avoiding the act.

The decisions of the commission in these cases lend substance to the statement made by the Minister of Consumer and Commercial Relations last session that this government did not intend that exemptions granted under section 4 be used to subvert the purposes of the Residential Tenancies Act.

Mr. Speaker, I know you are going to cut me off in a few seconds.

The Acting Speaker (Mr. Cousens): I thank the honourable member. His time has expired.

Mr. Harris: Suffice it to say, I will be opposing this bill.

The Acting Speaker: Thank you. The member has had his opportunity. The member for Parkdale, for the time remaining to him.

Mr. Ruprecht: Mr. Speaker, I certainly appreciate the comments made here today. But one of

the most important points in my presentation has been the question, does it work?

Members on the government side, especially the members for Oriole and Nipissing (Mr. Harris), must ask themselves what they would say to a tenant who announced, "It does not work because I am out on the street." What would their answer be? Would the answer be, "Well, folks, let us study it some more? Let us figure out whether the Thom commission is going to make recommendation 1 or recommendation 2?" Or would they hide behind the coat-tails of the police commission because the police commission is supposed to check into some of these illegal activities and say, "Let us wait for its report"? Or would they find other skirts to hide behind?

The government should tell me what its answer is going to be to the tenants thrown out on to the street. What will its answer be to those who are now out on the street without accommodation? To study the issue some more? To look at the question of interpretation and, even though it is borderline, at the flexibility of it to see if the commission has the discretion? I say to the members, what is the answer today to the tenants asking these questions? I am awaiting a reply.

Mr. Harris: I would be glad to reply.

The Acting Speaker: No, the member for Parkdale has the floor. He will resume.

Mr. Ruprecht: It is simply a rhetorical question. I am expecting a reply from the government in writing. That is what we are expecting. The member can put that down any time because we are going to write to the tenants in Nipissing county, to the members in North Bay, to the great riding of Nipissing, and ask those tenants what the written answer is going to be. The same will occur in the great riding of Oriole.

The Acting Speaker: The member for Nipissing. What is this?

Mr. Harris: I have a point of privilege.

The Acting Speaker: On a point of privilege, I recognize the member for Nipissing.

Mr. Harris: Mr. Speaker, the member referred to the county of Nipissing. It is typical of a party that really does not understand northern Ontario.

Interjections.

The Acting Speaker: That is not a point of privilege, thank you.

Mr. Harris: There is no county of Nipissing. It is the district of Nipissing.

The Acting Speaker: Thank you. I now recognize the member for Parkdale. The member will please continue.

Interjections.

Mr. Ruprecht: The question should also be raised today as to what happens to those tenants to whom the Residential Tenancy Commission has indicated: "You will get your money back because you appeared in front of us and we think you are right. These people are trying to circumvent the law. You get your money back."

The question should be, two years later, have these tenants received their money? While the government studies this to death, the tenants do not yet have their money back. In other words, this legislation has loopholes and it does not work. What happens instead is simply another way of circumventing the law. These companies, especially the Toronto Apartment Building Co. just say:

"Okay, we have been instructed by the Residential Tenancy Commission to pay the money back. However, we are establishing a new company and we are now requesting that you tenants give us two cheques, one cheque for the rent and one cheque for the furniture." When one adds the two cheques up, he finds the two cheques actually come out to more than the commissioner had indicated should be paid back.

The government wants to tell us today that we should study it, that we should provide individual commissioners with the flexibility that is required. I say the government does not deserve to tell us about flexibility, reasonableness and the studying of this question to death, when the answer is clear, unequivocal and very simple; namely, this law does not work. This law needs plugging of the loopholes. This law needs changing.

Mr. Speaker, I speak through you to the government and to all the government members who have an iota of conscience left, especially the member for St. George who has in her riding thousands upon thousands of tenants who voted for her the last time. She had indicated she would actually be in favour of making some changes in the Residential Tenancies Act; she had indicated that she would support some of these changes before the Commission of Inquiry into Residential Tenancies. Since she has appeared before them, I would expect that she and others coming from the Metropolitan Toronto ridings—Scarborough is affected as well, and so are Etobicoke, North York and Weston—I would especially expect the members for those

ridings to stand up and defy those people from Oriole and Nipissing who are nothing but apologists for this government, because this Legislature needs change and this legislation should be passed today.

PLAIN LANGUAGE ACT

Mr. Mancini moved second reading of Bill 63, An Act to require that Consumer Contracts be Readable and Understandable.

Mr. Mancini: Mr. Speaker, I would like to ask and to notify you that I would prefer four minutes of the time to be reserved that I may be able, I hope, to answer some questions that may come up in the course of this debate.

This particular piece of legislation has been long needed in Ontario. We, in our everyday lives and on almost a regular basis, are signing contracts, whether these contracts are for life insurance, car insurance, home insurance, the purchase of vehicles, the purchase of other goods and services and/or the purchase of mortgages, etc.

In view of this fact, and in view of the fact that on a regular basis the vast majority of the people of Ontario are required to sign these contracts, this piece of legislation takes on a large significance.

First, I would like to explain to the House the requirements of the bill and exactly how the consumers would be protected.

The bill itself would allow only two exemptions from consumer contracts. We would allow exemptions where a lawyer has been asked by a consumer to negotiate on his behalf and where he would be signing the contract on behalf of the consumer. The other exemption would be where a consumer, through a partnership or through other motivations, negotiates from square one the contract that is to be signed—where they negotiate every single part of the contract from square one on their own.

Having allowed those two exemptions for good cause, we would then require that all consumer contracts be written in plain English. I mentioned earlier to the honourable members the types of contracts that would be required to be written in plain English, contracts that we are required to sign in the everyday course of business in a person's life.

4:50 p.m.

Section 2 of the bill, which explains in clear detail how a consumer contract should be written, should be placed on the record. I will take just a moment to inform the members that

the consumer contract we would like to see put in place would (a) be written in clear and coherent language; (b) contain only words that are generally understood, used in their common and everyday sense; (c) not contain a word that is used in a legal or technical sense inconsistent with its generally understood meaning; (d) be arranged in logical sequence; (e) be appropriately divided and captioned; (f) have a table of contents if the consumer contract exceeds 3,000 words or three pages in length; (g) not contain any unnecessarily long or complex sentences; (h) not contain any unnecessary cross-references; (i) not contain a double negative or an exception to an exception; (j) not to be printed in less than 10-point type.

We would ask that the contracts be written in such a manner for some very specific reasons. The most specific, of course, is that people do not understand what they are signing. There is no one, except possibly for the odd Philadelphia lawyer who is a member of this Legislature—

Mr. Nixon: What about a Woodstock lawyer?

Mr. Mancini: I do not even think the Woodstock lawyer would understand, but there would be no one except for the odd Philadelphia lawyer in this Legislature who could understand exactly what he is signing. We went to the library and obtained the Encyclopaedia of Forms and Precedents, the fourth edition, London, Butterworths. As I looked through the regular normal form for a mortgage, it is clearly unbelievable how even the lawyers could understand what they are putting together.

Mr. Boudria: They don't.

Mr. Mancini: Yes, in some cases there would be some question of whether they themselves understand. For example, section 3 of this form mortgage reads as follows: "That so long as any money remains owing on this security the borrower will keep the buildings for the time being comprised herein in good repair, and if the borrower shall fail so to do the lender shall thereupon be entitled to enter upon the premises or any part thereof and execute such repairs as in the opinion of the lender may be necessary or proper without thereby becoming liable as mortgagee in possession, and the borrower will on demand repay the lender all the expenses thereby incurred by the lender and will pay interest at the rate of [blank] per cent per annum from the date of demand until repayment of any moneys not repaid on demand as aforesaid, and all such expenses and interest

shall be charged on the property hereby mortgaged."

The Windsor Star recently did a story on plain language and also captioned a certain part of legalese and I would like to read that into the record.

"The purchaser represents that the above statement is made to induce the seller to enter into this contract and to induce the bank to purchase the attached promissory note and take as security therefor an assignment." It is as clear as day.

With this type of legalese used in so many important areas, I believe it is absolutely necessary for the consumer to be able to understand exactly what he is signing. I suspect there will be some criticism of the Legislature, specifically from the law society or lawyers and maybe some financial institutions who do not wish to change their practice solely because it may cost them money or they really do not understand the confusion that is out there among consumers. All of us know that words and phrases are the main means of communication and words and phrases should not be mystical. They should not be put in mystical form. They should not be placed in such an order that only a lawyer may understand the actual meaning or may say that a lawyer may understand the actual meaning.

This is not a religious rite but sometimes lawyers act as if the drawing up of a contract or reading of a legalese form is a religious rite. I was once told that these contracts which are prepared by lawyers are as unclear as a doctor's handwritten prescription, and that is exactly the way it is.

I want to bring to the attention of the Legislature that some consideration has been given to this particular problem by members on all sides of the House. The famous select committee on company law in its 1979 report had a section which dealt with plain language communications. It states:

"The committee sees three further alternatives available for resolving the consumer's difficulty in understanding the insurance contracts: (1) introduction of plain language, (2) translation of the insurance contract into plain language, (3) substitution for the contract itself of a plain-language brochure explaining the policy."

We already have agreement by members on all sides of the House—at least the members who were part of this very famous committee—that plain language is absolutely necessary. Anyone who has gone to buy a car and found it

necessary to borrow money and signed that kind of contract will quickly realize that people do not understand what they are signing.

I have for the attention of the Legislature some plain language contracts. These contracts are now in use by Royal Insurance of Canada. When we called the Royal Insurance office, we were told that some members of the Conservative caucus had also called and that they also had wanted copies. I think that is just fine, but I sincerely hope the initiative by this one company is not going to be used as an excuse to delay the implementation of the bill or as an excuse to say that the bill itself is unnecessary.

5 p.m.

Royal Insurance of Canada is one company out of many companies that are doing business in the province. However, only the other day I had placed on my desk a letter addressed to a certain individual from Laurier Life Insurance Co. Paragraph 2 of that letter read as follows: "The group policy under which you were insured stipulates that 'the long-term disability benefit specified will not be payable in respect of a period of disability commencing within 12 months of the effective date of the individual's insurance under this policy, if such a period disability is a result of sickness for which the individual was treated or attended to by a physician or took drugs prescribed by a physician during the four-month period immediately preceding the effective date of the individual's insurance.'"

No ordinary person without legal training could even dare to try to explain that. While I say it is very good of the Royal Insurance of Canada to introduce plain language contracts, Laurier Life Insurance Co. and hundreds of others do not use plain language and will not in the foreseeable future.

We have heard what legalese sounds like. Let us hear what the plain language legislation sounds like. This is a copy provided to us by Royal Insurance on basic tenant shield policy. It is written in very big print and has a table of contents. It is done in two colours, which makes it very attractive to the eye, and important clauses are written in red ink.

For example, one of the clauses written in red ink specifies: "Your rented home is left uninhabitable by a fire. You are forced to move your family into a hotel and to eat in restaurants. Normally, your expenses including groceries come to \$200 a week. Now your expenses average \$300 a week. We will pay the difference."

It is clear, legible and understandable. The consumer knows exactly what to expect in case

of an unfortunate accident. He does not have to get into a long conflict with the insurer as to what the contract actually meant. We will have protection for the consumer. We will have an understandable policy and we will have a situation where people actually know what they are signing.

During the four minutes I have reserved for myself, I would also like to read into the record some other documents that have been made available to me by Royal Insurance and I look forward to hearing comments from the other members.

Mr. Swart: Mr. Speaker, I rise with a variety of feelings to speak on this bill. Obviously, I have some sympathy for the bill. I have also a feeling of some futility and even some indifference, and a feeling that it is not the most important issue we could bring before this province.

Nobody could disagree with the explanatory note in the bill, which says the bill requires that consumer contracts be readable and understandable by the ordinary consumer. We are all in favour of that.

A consumer contract that contravenes the detailed requirement set out in subsection 2(1) may be rescinded by the consumer, who is also entitled to recover any damages suffered as a result of the contravention and may be entitled to punitive damages. We really cannot disagree with the principle of that.

I had occasion a short while ago to listen to the president of the Chartered Accountants Association of Ontario. He was discussing the Income Tax Act and the regulations.

Mr. Wildman: Was he doing your books?

Mr. Swart: No, he was not. Not under orders anyhow.

He was discussing the Income Tax Act and the regulations and he had everybody in stitches because here was the Liberal government at Ottawa with paragraphs, all one sentence, six inches high. Even the chartered accountants have to get lawyers to examine and determine what it means and even the lawyers do not know what it means. That is what the Liberals have done at Ottawa.

Of course, we in this House and in committee are guilty many times of passing legislation which really no lay person can understand. We are passing laws that people just do not know the meaning of. The Planning Act perhaps was a classic example. Anyone who sat in on that process for three or four years and who now

reads the Planning Act is totally lacking in understanding of it. One just does not know what it means.

When I read over this bill, I came to the conclusion that the member who introduced it was a bit guilty of what he was trying to correct. Subsection 3(2) says: "Where rescission under subsection 1 is not possible because restitution is no longer possible, or because rescission would deprive a third party of a right in the subject matter of the agreement that the third party has acquired in good faith and for value, the consumer is entitled to recover any damages suffered as a result of the contravention."

That in itself is an example of what we should be trying to get rid of. I am not sure we can trust the Liberals or even the mover of a bill like this to see that the provisions of it are carried out.

I think it would have been much more valuable in this House if the member had brought in a bill to establish a fair prices commission so we had control over some of the unreasonable prices; or if he had brought in a bill to do something about the tremendous escalation in insurance rates that we are having in this province, particularly house insurance, which is another subject in itself; or, if he had brought in resolution or a bill to do something about the input cost to farmers, particularly the really cruel and unreasonable cost of fertilizers, where the federal government has put an exorbitant tax on natural gas in the production of nitrogen and has artificially increased the price of fertilizers. I would think that might have been an area that would have been somewhat more important than this.

I said I have some futility in this because I think that—

Mr. Ruston: The member should know the gas tax was taken off. There is no federal tax on natural gas now. He had better check that out.

The Acting Speaker (Mr. Cousens): Order.

Mr. Swart: I think the member for Brant-Oxford-Norfolk (Mr. Nixon) will agree with me on the next comment I am going to make. As long as we have lawyers, we are going to have this complex and undecipherable wording of contracts.

My colleague sitting next to me just informed me that in Ontario there are something like 12,000 practising lawyers with our population of nine million, while in Japan with a population of 117 million there are only 11,000. Maybe that is why we have some of the complexity in the wording of the contracts. I guess it tells us a little

bit about how they handle their civil disputes over there. Toyota, the largest auto manufacturer, does not have one lawyer on staff. They are able to write contracts in plain, simple and understandable language. Maybe the first step we have to take in our society is to give a higher priority to the education of people in professions different from those of lawyers and solicitors.

5:10 p.m.

Another thing that bothers me about this bill is the difficulty of enforcement. It is a nice statement of principle, but what does it mean when it says a contract shall be "written in clear and coherent language"? What does it mean when it says it shall contain "only words that are generally understood, used in their common and everyday sense" or "arranged in a logical sequence" or "appropriately divided and captioned"? If any consumer decided to take somebody to court on the basis of those principles in that bill, the lawyers could have the greatest field day they have ever had in this province. I do not know how one would enforce it.

I do say, though, this kind of a bill in the statutes would be something of a guide to contracts. It would at least put this Legislature on record as saying we expect the contracts that are going to be made between merchants of every type and consumers are going to be understandable. It may have some merit.

At the present time, I suspect, some of the contracts and agreements that are written deliberately have complex wording to confuse the average person who is going to be reading and signing them. If this bill does establish some principle or give some guidelines to the merchants, if it does give the consumers a feeling they have some right to question the complex wording that is not understandable to them, then I guess it has some merit and I will be supporting it.

Mr. Williams: Mr. Speaker, I agree with the opening remarks of the sponsor of this bill when he talks about the fact that contract law is the backbone of commerce in our society today. It is the child of commerce and it has grown and become more complex as our society has moved from an agricultural to an industrial, commercial statehood. As this country has matured along those lines, so has the degree of contract law in its sophistication.

One can look at the simplest type of legal contract, for example, a simple promissory note for \$200 at five per cent, repayable in three months; or one could go to the other extreme.

There was a great deal of publicity given some years ago to the example I cite. There was a picture in one of the national publications of members of 24 different law firms sitting around in an ivory tower somewhere in New York, probably in the Empire State Building, while they closed the deal on that building. It showed about 20 cartons of legal documents, and it took them four days to close the deal. One can go from one extreme to the other. It simply illustrates the fact that, as we have become a more complex society, legal negotiations between people have of necessity become more complex and so has the writing of contracts as well.

In the Ministry of Consumer and Commercial Relations, we clearly understand this situation. As reflected in the very name of the ministry—and I stress the positioning of the names in the title of the ministry—this government has recognized the need to protect the consumer. As a government we do have a ministry that, first and foremost, is there to protect the consumer because we realize that the consumer is involved more and more in complex, commercial undertakings. That is the very substance and nature of what our ministry is all about.

We are there to help the consumer. In that spirit we do believe there are good intentions in what the member has put forward in his bill before the House today. Certainly, no one can quarrel with the intent and purpose, although after listening to his somewhat backhanded, vicious and uncharitable attack on the legal profession, I suggest it may have arisen from motivation or prodding from his friend down in the front row, the member for Brant-Oxford-Norfolk. I would not dare make that accusation in this House; I am just thinking out loud. I know that really the motivation here is genuine. Without exception, I think all of us do indeed look to having contracts between parties for whatever reason to be as clear and precise as possible.

However, I think the sponsor did somewhat digress from what the real thrust of the article was. He mentioned the Windsor Star, from which I presume he got the idea to bring this bill forward. While he was being critical of the legalese that is used in the language in legal contracts these days, the headline on that particular article was "Two Companies Take Fog Out of Their Legal Language."

The article was designed to compliment the private sector on the fact that initiatives are now being taken by private sector companies that realize there is a need. It is not only good public relations, but good practical business sense to

start trying to simplify contracts for customers and consumers. This article was lauding not just Royal Insurance of Canada, the company referred to by the sponsor.

I was also aware that the company had brought out the contracts some time ago and I contacted it as a Conservative member to review its particular policies. Its basic tenant and home shield policies and its condominium policy are all very similar in form and do indeed take some of the—not mysticism—perhaps unnecessarily lengthy verbiage out of the contracts. They are well designed, well presented and easily read. I have no hesitation in complimenting that company and also the Bank of Nova Scotia which has come out with a simplified mortgage contract form.

The member sponsoring the bill has talked about insurance and car contracts, but one of the most important documents that most people during their lives engage in are contracts related to offers to purchase property and the financing thereof. More often than not, we wind up at some stage in our lives signing mortgage contracts. They are probably one of the most important documents that we as individuals would involve ourselves in and commit ourselves to probably in a very substantive way as far as financial commitment is concerned.

Again, I compliment Scotia Bank in coming forward with a simplified, well-designed, attractive, presentable form that was developed only after several years of assessment and review. I understand that the bank now has this form in use in every province in the country. The interesting thing with regard to Ontario is that not only is the private sector moving in this field, but this government will be moving as well. In the immediate future, we will be bringing forward proposals in the form of legislation that will also simplify legal documentation so that Polaris, the province of Ontario land registration and identification system, which this government has put in place and which is now operating on a project basis, will be able to be developed and made more sophisticated.

5:20 p.m.

We will be refining and shortening the existing legal documentation in that field for purposes of understanding and for purposes of registration and simply to reduce the sheer volume of paperwork. We will be talking about that in the House not too many days from now. Not only is the private sector recognizing the need to move in this direction, and is indeed moving in this direction; so too is government.

The comments made by the member for Welland-Thorold (Mr. Swart) at his conclusion are ones that I also feel are necessary to address. While supporting the principle of the bill, the concerns he expresses give me cause not to support the bill in the form it is laid before us today. The honourable member cited the very ambiguous, vague sections of the bill that the sponsor spoke of in such glowing terms earlier. They really cloud the issue rather than improve it. For instance—and I point this out, because the member for Welland-Thorold did not catch on to it—within six months after the contract has been entered into, this legislation could be used by anyone who felt aggrieved as a vehicle for contesting the contract.

Lawyers are having a field day with the Charter of Rights. When we read the Ontario Reports weekly, every third or fourth case has to do with interpretations of the Charter of Rights. That will pale by comparison in trying to interpret what "logical sequence" means, what "appropriately divided and captioned" means and what "unnecessarily long or complex sentences" means. The lawyers will be working more rather than less if we adopt this bill.

While there is some suggestion that we who speak as lawyers have a vested interest, this type of legislation would probably provide many more work-years for the legal profession if it were adopted in this form. It is with regret that, because of its vagueness and uncertainty, I will have to oppose this bill at this time.

Mr. Boudria: Mr. Speaker, I rise to speak in favour of the bill proposed by my colleague the member for Essex South (Mr. Mancini). Contrary to what others have said, I think this is a very important bill and I do not treat it as lightly as the member for Welland-Thorold did earlier today.

I will just read to you, Mr. Speaker—and I am sure that, having personal experience in those matters, you will understand what I read now—from an article in the *Ottawa Citizen* which describes a problem regarding legalese in an insurance document. A reader wrote to the *Ottawa Citizen* as follows:

"The Guardian Insurance Co. claims the right to insure us against our will." I do not know if you have ever worked for them, Mr. Speaker.

"We had a household insurance policy for the past several years. The renewal date was last January 20. We decided to let it lapse and save the \$144 yearly premium." Presumably, this person wanted to insure with somebody else who charged \$144 less.

"Notices started coming, requesting payment. We ignored them, especially after Guardian began saying our policy would be cancelled for nonpayment. That's just what we wanted and expected. Suddenly a collection agency came to us" on behalf of Guardian. "Guardian was demanding money. They said our policy was still in force because we did not terminate it in writing. Of course we didn't. We let it run out." That would sound normal, because the insurance company said it would cause it to be cancelled if one did not pay it in the first place.

"Guardian says we should have known because the rule is explained clearly in the policy. We can't see where. Can you?"

The person in charge of Action Line at the Citizen went through this contract and found the following: "The contract says how the policy must be 'terminated' . . . But the usual meaning of 'terminated' is not explained. A policy is not terminated just because it runs out."

It is also not terminated just because the insurer tells his client he is going to terminate it if he does not pay. Apparently, that has nothing to do with a policy being terminated. A policy is terminated when a client writes to the insurance company telling them he wishes the policy to be terminated even if the insurance company had told him it would do that anyway.

Members can see some of the confusion that arises over having language that is absolutely impossible to understand in some insurance policies.

I want to read part of a policy I hold with the Home Insurance Co. for my car.

It says the following: "In consideration of the premium stated herein, the insurer agrees to indemnify the insured against the liability imposed by law upon the insured or assumed by him under any contract or agreement for loss or damages arising from the use, operation, care, custody or control, of any automobile, including its equipment, owned by the government of Canada or by the government of any province thereof and resulting from bodily injury to or death of any person or damage to property or from loss of or damage to such automobile.

"The word 'insured' as used in this endorsement shall include (a) his or her spouse, and (b) any other person who with the consent of the named insured personally drives the automobile.

"This endorsement provides insurance against one or more of the perils stated herein, but for insurance under the section(s) or subsection(s) for which a premium is specified hereunder and

no other and upon the terms and conditions of the policy to which this endorsement is attached and for the following specified limit(s) and amounts.

"Provided always that: (1) The perils for which indemnity is provided by the several subsections of section C" and so on and so forth.

Do you know what this really means, Mr. Speaker? This means one is insured if one drives a government car. Of course, you being in the business, you may have guessed that already. Most of us would have to read it several times to understand that was even English, let alone any other meaning it may have had.

Mr. Williams: It is a good and precise clause.

Mr. Boudria: Of course, the member for Oriole (Mr. Williams), being a Philadelphia lawyer, would understand that right away and obviously thinks there is no need for the legislation that my colleague the member for Essex South has proposed.

But why we allow people to get away with writing things like that, expecting us to sign them and know what we are signing, is beyond me. For the life of me, I cannot think of one good reason why anybody should be getting away in this day and age with writing a document like that.

The interesting thing is that this policy is with the Home Insurance Co. One would think the Home Insurance Co. only knows that vocabulary because it is the one it uses. I have here another policy, again from the Home Insurance Co. This one is for my house.

It says the following: "The building described in declarations as location one, the principal resident premises, including additions in contract therewith occupied principally for dwelling purposes, outdoor swimming pool, equipment attached thereto on the premises, building fixtures and fittings," and so on, "glass plates."

Mr. Wildman: Do you have a swimming pool?

Mr. Boudria: I do not have a swimming pool.

The same insurance company can have one policy written in words that even I can understand, with English being a second language, while the other one is written in such a way that I do not think anybody can understand it regardless of how many languages he speaks.

5:30 p.m.

There is absolutely no logic for anyone getting away with writing policies in this manner. If an insurance company can write a policy for a

house in plain English, surely it can write a policy for a car in a similar language.

Mr. Eakins: Or in plain French.

Mr. Boudria: Or in plain French, as my colleague the member for Victoria-Haliburton (Mr. Eakins) mentioned. I am glad he brought that up and I will come back to it in a minute.

Nevertheless, we can write it in plain language and make it easier for all of us to understand.

Getting back to the point raised by my colleague the member for Victoria-Haliburton, I think it is a great day in this Legislature for the following reason.

Today the Attorney General (Mr. McMurtry) introduced a bill in this House, a new Judicature Act. We are informed by the press that the following words are used in the bill: "English and French shall be"—hang on to the seats—"the official languages of the courts in Ontario."

I know all members are pleased to hear that. This is the same thing my colleague the member for Ottawa East (Mr. Roy) introduced in this Legislature five years ago. I am glad this government has now seen the light to describe in law that services are officially available in two different languages.

Hon. Mr. Ashe: Did they introduce that on a Tuesday or on a Thursday?

Mr. Boudria: I want you to know that all members of this House voted for the bill presented by the member for Ottawa East, including himself and every member on this side. Our policy has never changed since that.

The Deputy Speaker: Remember to address the chair and continue speaking to the bill.

Mr. Boudria: Yes, thank you. I am speaking to the bill, but I am addressing the principle that plain language should be used. I was bringing it in the context that plain language does not necessarily mean English; it can mean English or French. I just thought I would bring this in because I know that you and all members would be pleased at the action of the Attorney General as he brought it into this Legislature today.

Mr. Samis: Il a parfaitement raison.

Mr. Boudria: Absolument, M. le Président, l'honorable ministre a parfaitement raison d'introduire cette loi comme ceci.

In conclusion, I want to say that the member for Essex South has brought a very interesting piece of legislation into the House today. I think it is incumbent on all members to support it, to

make all the documents readable and understandable to people of this province.

The practice that has gone on for too long, of allowing insurance companies, lawyers and everybody else to write documents that only they can understand and they are in a position where they act as interpreters for anybody else, is just unacceptable in this modern day and age.

The member for Essex South has brought us a piece of legislation that is very interesting and should be supported by all members of this Legislature. I invite them all to do so.

Mr. Samis: Mr. Speaker, I will speak briefly on the bill. Naturally, I support the intent of the bill. Like the member for Welland-Thorold, I do not have any strong feelings on it; however, I support its intent. If I ever had any doubts as to where I stood, the member for Oriole confirmed that this bill is needed when I found out that he opposes it. I know that if he is against the bill, it has to have some merit. Therefore, I will support it on that basis alone.

I have always shared with my friend the member for Brant-Oxford-Norfolk the feeling that lawyers exercise an undue influence in our society. It applies to the Legislature as well as to the overall spectrum of society.

I recall the debate we had here a couple of years ago. I introduced a private member's bill that would have made a very simple change which I thought would benefit the consumer, namely, to allow the lawyers to advertise their wares and their prices. It is a normal thing, one would think, for any practice in society, so the consumer would learn something—simple, understandable, something that would benefit the consumer and would even benefit certain members of the law profession. However, I remember the member for Oriole spoke against that move as well, and the Tory majority crushed the private member's bill.

The lawyers have been under increasing criticism ever since. I notice one of their committees recommended an experiment whereby we in Ontario would allow some form of advertising. However, once again their governing body crushed that initiative. Again we will not have the opportunity to make that simple advancement on behalf of the consumer.

If the intent and the letter of this bill were to apply to politicians and some of our speeches, I would hate to think what it would do to our whole style. It might undermine, if not destroy the Legislature and 61 per cent of the debates and 83 per cent of the speeches that go on here.

The undue influence of lawyers is still reflected

in this Legislature. For example, I look at the front bench over there and I see the Deputy Premier (Mr. Welch), lawyer; Premier (Mr. Davis), lawyer; Treasurer (Mr. Grossman), lawyer; Attorney General, lawyer; the ailing Minister of Health (Mr. Norton), lawyer—right on the front bench there is a predominance of lawyers, right there among the power. I will not talk about the back-benchers.

Our former Deputy Speaker, the member for Durham East (Mr. Cureatz), who did an outstanding job in the Legislature and who is a man of whom we on this side are proud, is one of the few lawyers on that side who displayed any sense of objectivity and magnanimity towards the opposition, the way we truly appreciate it.

I do not know how this particular bill would be implemented. I do not know whether the law profession could even cope with it. But I fully agree that somehow in society we have to make the law profession susceptible and responsible and responsive to the masses of society, the ordinary people of society.

The expression used by the member for Brant-Oxford-Norfolk, I think, is that they are a "self-anointed, self-appointed, sacerdotal priesthood unto themselves." I agree 100 per cent that this applies today as much as it did a few years ago. I can think of no profession outside the doctors that wields such—

Mr. Wildman: I don't understand that phrase.

Mr. Samis: I did not either when he said it; I had to get my thesaurus out. But I do understand it now.

If something along the lines of this bill were ever to be accepted, I would consider the consumers to be tremendous beneficiaries. My understanding is that Ralph Nader and some of the consumer groups in the United States have been pushing for something along this line for quite a while. I understand they have had a few successes in certain states. I would say good old stately Tory Ontario is about long overdue to take the plunge and try something along the lines of this bill.

I do not know whether it would work. I do not know whether the member for Huron-Bruce (Mr. Elston) would support it. I do not know whether the absentee member for Ottawa East would support it. I do not know whether—have they got any other lawyers over there?—the member for Kitchener (Mr. Breithaupt) would support it. But I would hope the intrinsic arguments behind the bill and the persuasiveness of the member for Essex South would prove successful; and there would be those

three members of his caucus supporting this bill—because they know and he knows it would benefit the consumers—and none of them is suffering, as we know.

I do not want to prolong my remarks much more than this, but I do want to make the point along the lines suggested by my colleague the member for Prescott-Russell (Mr. Boudria) about buying cars, for example. Anybody in Ontario who buys a car and takes the time to read the contract will be absolutely and totally baffled by what he reads. There is no reason in the world why we cannot simplify that.

A mortgage contract, I suspect, is totally beyond the pale of understanding to most consumers. They would have to get the whole thing translated, not into English but into some basic form of legalese, so they would have a chance of even understanding it.

If we can do anything in those two areas—insurance contracts would be the third area, I think, that would need considerable attention—if we can make any progress in those three areas, and if this bill would help us make each of those areas comprehensible, then I would support this bill wholeheartedly.

Mr. Treleaven: Mr. Speaker, the bill has an admirable intent behind it, and certainly all members and all speakers support the concept of making contracts that clear, but first I wish to address briefly the member for Cornwall (Mr. Samis) and his remarks on lawyers' advertising. The way it stands now in Ontario, lawyers may advertise so long as the signs with prices are inside their windows.

Mr. Boudria: I don't see one ad in this paper.

Mr. Treleaven: Right. They are not allowed outside the windows, and I suspect that is because of the inclement weather we have and the signs would deteriorate; so the prices are allowed inside the windows of their offices.

5:40 p.m.

It has been well established and recognized for years in the field of law that the primary object in drawing up a contract, whether it be a will or a consumer contract, is that it be unambiguous. Whether it is long, short, concise, whatever, it must be unambiguous. That is where the bill of my friend from Essex South falls down.

My friend from Cornwall mentioned standard contract mortgage clauses. Mortgage clauses are perhaps somewhat complicated to superficial reading but they have had hundreds of years of precedent, so the law has set forth what those

clauses mean. The law sets forth what they mean.

My friend's bill has many of these subjective clauses such as "clear, concise, logical sequence, appropriate" and so on. There is no body of law that says what "appropriate" means in a certain circumstance. Therefore, he is creating a situation where there is no precedence behind it and there is no clarity and there is no history.

May I just mention that there is one clause that my friend from Huron-Bruce and the other solicitors—it may sound like a superficial bit of gobbledegook but it is not, it is a standard clause. At the end of almost every contract it says, "This agreement shall inure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns." It may sound like gobbledegook, but it has been there for hundreds of years and all the solicitors in the House know exactly what it means and it is not ambiguous. It is clear. The courts know what it is and you will never get a court case over that or any of these other standard phrases.

I would like to look at the definition section. I would like to take examples of the legislation at hand. Mr. Speaker, look at the definition in subsection 1(a), "'consumer' means an individual." That is one person. Where are corporations? That is a question mark. In most offers to purchase real estate, homes and so on, which are covered here, or leases for apartments or whatever, husbands and wives usually sign the offer to purchase. Where there is a husband and wife, that is two people. We will not bother with the unity of marriage at this point. They sign together, but the bill talks about an individual. "'Consumer' means an individual," but husband and wife are two parties.

Mr. Wildman: You're dealing with this like a lawyer.

Mr. Treleven: That certainly is the best way to go at this bill. Subsection 1(b) defines "consumer contract" and it deals with "real property to be used for residential purposes" only. Where does a farmer—there is a residence on every farm—or a merchant with living quarters behind and above the store fit into this? Those are residential quarters in a nonresidential package of land. It is not covered here. I suggest this bill is fuzzifying the situation rather than clarifying it.

Mr. Nixon: Fuzzify?

Hon. Mr. Ashe: A good word.

Mr. Treleven: I think my friend the member for Oriole and my friend the member for Welland-Thorold dealt with these very subjective clauses about what is coherent, what is inconsistent, what is logical sequence, what is unnecessary and so on. I suggest those are totally unclear.

I would like to look at some more inconsistencies and the lack of clarity. I do not really like to use the clause that has been referred to in this House often by my friend the member for Bellwoods (Mr. McClellan). He has used the term "weasel clause" before. I am not crazy about the term, but if you look at subsection 2(2) it says, "Despite clause 1(b)"—and, of course, those are all the bad things the member has set out above—"a consumer contract may contain a technical word." Is that one technical word? If there is one technical word, okay. Does it mean two? Does that subsection not operate and one cannot use two technical words? Is it one? I suggest the whole subsection 2(1) is emasculated if it is more than one.

Another thing, I notice there is room for mischief. My friend the member for Oriole looked at subsection 3(4), the one about having a limitation period of six months after the contract is entered into to bring an action for damages.

In the standard offer to purchase a house, it usually closes in one month or two months. That is normal. What happens if one has the normal closing of two months and then along comes the new buyer, his money is handed over, he has signed all the mortgage documents, he has moved his kids in, and then he finds there is a crack in the basement, or some bats in the attic, or the roof leaks or whatever? What is he going to do?

Everybody can find some word in here that he cannot understand. The country boys can understand it better. But let us say it is some city boys who do not understand some of these words very well, and they can find something unclear anywhere they find a long sentence.

The problem of the wording in this act means the deal is closed two months after the contract is signed and he has another four months to look around, find something wrong, bring an action in the courts, and where are we? The money is gone. The vendor is gone.

The Deputy Speaker: The member's time has expired.

Mr. Treleven: Expired already? In conclusion, I believe this bill should be voted against.

Mr. Mancini: Mr. Speaker, I requested four minutes to wrap things up, and I will try to do that as quickly as I can. I really appreciated the comments made by the member for Welland-Thorold. I appreciated the comments in which he referred to some income tax problems in Ottawa. I appreciated his comments concerning a pricing commission, cost of fertilizer and a tax on natural gas. I think that added a lot to the debate on plain language legislation.

I also would like to refer to comments made by the member for Oriole, who suggested I made back-handed, vicious and uncharitable comments to lawyers. I wish to apologize to the House if my comments sounded in that vein.

I did not necessarily want this debate to be turned into a debate on lawyers. I wanted the debate to centre on the need for plain language in contracts which consumers are forced to sign in their normal lifestyles, buying insurance, buying cars, buying a mortgage, etc.

I would like to make a comment or two concerning the arguments used by the member for Welland-Thorold and the member for Oxford (Mr. Treleaven), who stated there is a body of law that has been built up so that the courts understand what has been written down, and that the requests I have made through the bill I have introduced would cause more litigation and problems for the courts.

I ask the member for Oriole and the member for Oxford, why has Royal Insurance not had that problem? How come one of the banks that was mentioned by the members opposite has moved ahead with plain language legislation and they do not fear the body of law that the members have talked about and have quoted from? Both members know very well that these contracts are being signed and the courts are not being tied up for any amount of litigation.

On one hand, the members say we need the body of law, then on the other hand, they say they congratulate Royal Insurance and these other people for going ahead with plain language legislation. They must make up their mind as to which side they stand on.

It was also referred to by some members that there was legalese in the bill. Certainly there was legalese in the bill. When I requested that the bill be drafted, it was sent up to the legal department and that group drafted this bill. At one point I thought of sending the bill back up, but I said no, I want to use the legalese in this bill as part of the point that must be made for plain language contracts.

5:50 p.m.

Further, all members should know that the state of New York has passed a plain-English statute which has been in force since November 1, 1978. New York courts are not tied up, as some members would indicate. Every written agreement after that November 1, 1978, date, for lease of a residential space or one to which a consumer is a party—Mr. Speaker, I think I have made my point. There are a lot of conversations going on. Thank you.

The Deputy Speaker: We thank the member for his remarks.

RESIDENTIAL TENANCIES ACT

The following members having objected by rising, a vote was not taken on Bill 59:

Andrewes, Ashe, Barlow, Bernier, Birch, Brandt, Cureatz, Cousens, Dean, Eaton, Eves, Gillies, Gordon, Gregory, Harris, Johnson, J. M., Kennedy, Kerr, Kolyn, Lane, McLean, McNeil, Ramsay, Runciman, Scrivener, Stephenson, K. R., Taylor, G. W., Treleaven, Walker, Williams, Welch, Wells—32.

PLAIN LANGUAGE ACT

6 p.m.

The House divided on Mr. Mancini's motion for second reading of Bill 63, which was agreed to on the following vote:

Ayes

Barlow, Bernier, Birch, Boudria, Bradley, Breaugh, Bryden, Cassidy, Charlton, Cooke, Eakins, Elston, Epp, Eves, Foulds, Gillies, Gordon, Haggerty, Harris, Johnston, R. F., Kerrio, Mackenzie, Mancini, McCaffrey, McClellan, McGuigan, McKessock;

McNeil, Miller, G. I., Newman, Nixon, O'Neil, Ramsay, Riddell, Robinson, Ruprecht, Ruston, Samis, Spensieri, Sterling, Stokes, Van Horne, Walker, Wells, Wildman, Wrye.

Nays

Andrewes, Ashe, Brandt, Cousens, Cureatz, Dean, Eaton, Gregory, Johnson, J. M., Kennedy, Kerr, Kolyn, Lane, McLean, Mitchell, Renwick, Rotenberg, Runciman, Scrivener, Stevenson, K.R., Treleaven, Welch, Williams.

Ayes 46; nays 23.

Ordered for committee of the whole House.

Mr. Breaugh: Mr. Speaker, on a point of order: The practice last week was to take the vote in private members' hour up and down the aisles so that there was no recognition of the traditional party structure in the assembly. I think it would be rather a good practice for the assembly to continue during votes in private

members' hours not to recognize the parties and to take the votes up and down the aisles as we did in our previous votes.

The Deputy Speaker: That was our intention. On this occasion, I think it was just an oversight. We appreciate the member's comments and will have them in mind in future.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, I would like to indicate the business of the House for the remainder of this week and next.

Tonight, we will continue debate on the motion for interim supply. If any time remains, we will debate the motion for adoption of the 1981 final report of the select committee on pensions.

On Friday, October 28, we will deal with the estimates of the Ministry of Intergovernmental Affairs. When they are finished, we will deal with concurrence in supply for the estimates of the Legislative Assembly and concurrence in supply for the estimates of the Provincial Secretariat for Social Development.

On Monday, October 31, we will begin the estimates of Management Board of Cabinet.

On Tuesday, November 1, in the afternoon we will debate in committee of the whole on Bill 61 and deal with second readings and commit-

tee of the whole on Bills 85, 51 and 52. In the evening, we will deal with second reading and committee of the whole on Bill 90 and committee of the whole on Bills 86 and 87.

On Wednesday, November 2, the usual three committees have permission to sit in the morning.

On Thursday, November 3, in the afternoon, we will deal with private members' public business standing in the names of Mr. Cunningham and Mr. Wrye, and in the evening with legislation not completed on Tuesday night, followed by second readings and committee of the whole on Bills 93, 94, 92 and 97.

On Friday, November 4, we will deal with the estimates of Management Board of Cabinet.

Mr. McClellan: Mr. Speaker, on a point of order: I think the Orders and Notices indicates resuming the adjourned debate on the motion for interim supply but not the resumed debate on the motion for adoption of the report of the select committee on pensions. I think we should stick to the Orders and Notices.

Hon. Mr. Wells: That is fine, Mr. Speaker. In our original discussions we thought that in case the speeches ran out, rather than adjourn early we might like to continue, but I have every confidence the speeches will fill the time allotted.

The House recessed at 6:06 p.m.

CONTENTS

Thursday, October 27, 1983

Statements by the ministry

Andrewes, Hon. P. W., Minister of Energy:	
Hydro reactors.	2480
Gregory, Hon. M. E. C., Minister of Revenue:	
Property tax grants.	2477
McMurtry, Hon. R. R., Attorney General:	
Courts of Justice Act.	2479
Inflation restraint legislation.	2479

Oral questions

Andrewes, Hon. P. W., Minister of Energy:	
Hydro reactors, Mr. Peterson, Mr. Rae.	2480
Ashe, Hon. G. L., Minister of Government Services:	
Vandalism during demonstrations, Mr. Kells.	2491
Bernier, Hon. L., Minister of Northern Affairs:	
Forest regeneration, Mr. Van Horne, Mr. Laughren.	2486
Davis, Hon. W. G., Premier:	
Inflation restraint legislation, Mr. Rae, Mr. T. P. Reid.	2489
Remembrance Day, Mr. McGuigan.	2490
Grossman, Hon. L. S., Treasurer and Minister of Economics:	
Youth employment, Mr. Peterson, Mr. Foulds.	2481
McMurtry, Hon. R. R., Attorney General:	
Barrie annexation, Mr. Epp.	2487
Miller, Hon. F. S., Minister of Industry and Trade:	
Abitibi-Price mill, Mr. Wildman.	2491
Ramsay, Hon. R. H., Minister of Labour:	
Lead assessments, Mr. Martel.	2487
Snow, Hon. J. W., Minister of Transportation and Communications:	
Road system funding, Mr. Eakins.	2489
Taylor, Hon. G. W., Solicitor General:	
Niagara Regional Police, Mr. Swart.	2488
Wells, Hon. T. L., Minister of Intergovernmental Affairs/Acting Minister of Health:	
Malvern soil contamination, Mr. Rae, Mr. Peterson, Mr. R. F. Johnston, Mr. Wildman . .	2483
Alzheimer's patients home care program, Mr. Rae.	2485

Petitions

Inflation restraint legislation, Mr. Wrye, Ms. Bryden, Mr. Sargent, Mr. Stokes, Mr. Eakins, Mr. Epp, Mr. Elston.	2493
---	------

Reports

Standing committee on regulations and other statutory instruments , Mr. Kerr, tabled, agreed to.	2494
Standing committee on general government , Mr. McLean, tabled.	2494
Standing committee on social development , Mr. Robinson, tabled.	2494

Motions

Estimates , Mr. Wells, agreed to.	2494
Committee sittings , Mr. Wells, agreed to.	2494
House sittings , Mr. Wells, agreed to.	2494

First readings

Courts of Justice Act , Bill 100, Mr. McMurtry, agreed to.	2494
Compensation for Victims of Crime Amendment Act , Bill 101, Mr. Kennedy, agreed to.	2494

Private members' public business

Residential Tenancies Amendment Act , Bill 59, Mr. Ruprecht, Mr. McClellan, Mr. Williams, Mr. Epp, Ms. Bryden, Mr. Harris, second reading, blocked.	2494
Plain Language Act , Bill 63, Mr. Mancini, Mr. Swart, Mr. Williams, Mr. Boudria, Mr. Samis, Mr. Treleaven, second reading, agreed to.	2514

Other business

Printing of legislative papers , Mr. Martel.	2477
Commissioners of estate bills , Mr. Speaker.	2477
Visitors , Mr. Speaker.	2477
United Way auction , Mr. Riddell, Mr. Speaker.	2492
Notice of dissatisfaction , Mr. Swart, Mr. Speaker.	2493
Answers to questions in Orders and Notices and response to petition , Mr. Wells.	2494
Business of the House , Mr. Wells, Mr. McClellan.	2515
Recess	2515

SPEAKERS IN THIS ISSUE

Andrewes, Hon. P. W., Minister of Energy (Lincoln PC)
Ashe, Hon. G. L., Minister of Government Services (Durham West PC)
Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)
Boudria, D. (Prescott-Russell L)
Bradley, J. J. (St. Catharines L)
Breaugh, M. J. (Oshawa NDP)
Bryden, M. H. (Beaches-Woodbine NDP)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Davis, Hon. W. G., Premier (Brampton PC)
Eakins, J. F. (Victoria-Haliburton L)
Elston, M. J. (Huron-Bruce L)
Epp, H. A. (Waterloo North L)
Foulds, J. F. (Port Arthur NDP)
Gregory, Hon. M. E. C., Minister of Revenue (Mississauga East PC)
Grossman, Hon. L. S., Treasurer and Minister of Economics (St. Andrew-St. Patrick PC)
Harris, M. D. (Nipissing PC)
Johnston, R. F. (Scarborough West NDP)
Jones, T., Deputy Speaker and Chairman (Mississauga North PC)
Kells, M. C. (Humber PC)
Kennedy, R. D. (Mississauga South PC)
Laughren, F. (Nickel Belt NDP)
Mancini, R. (Essex South L)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McGuigan, J. F. (Kent-Elgin L)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)
Miller, Hon. F. S., Minister of Industry and Trade (Muskoka PC)
Nixon, R. F. (Brant-Oxford-Norfolk L)
O'Neil, H. P. (Quinte L)
Peterson, D. R. (London Centre L)
Rae, R. K. (York South NDP)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
Reid, T. P. (Rainy River L-Lab.)
Riddell, J. K. (Huron-Middlesex L)
Ruprecht, T. (Parkdale L)
Ruston, R. F. (Essex North L)
Samis, G. R. (Cornwall NDP)
Sargent, E. C. (Grey-Bruce L)
Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
Stokes, J. E. (Lake Nipigon NDP)
Swart, M. L. (Welland-Thorold NDP)
Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)
Treleaven, R. L. (Oxford PC)
Turner, Hon. J. M., Speaker (Peterborough PC)
Van Horne, R. G. (London North L)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wildman, B. (Algoma NDP)
Williams, J. R. (Oriole PC)
Wrye, W. M. (Windsor-Sandwich L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament

Thursday, October 27, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, October 27, 1983

The House resumed at 8:01 p.m.

INTERIM SUPPLY

(concluded)

Resuming the adjourned debate on the motion for interim supply for the period November 1, 1983, to December 31, 1983.

Ms. Bryden: Mr. Speaker, the members will recall when the debate was adjourned on Monday night I was speaking on interim supply and suggesting that it gave us an opportunity to look at the directions of government spending before we voted supply to them for the next two or three months. It also gave us an opportunity to suggest new spending directions which the government should be taking.

My theme was that the government has spent far too much on advertising, foreign travel by cabinet ministers and expensive entertainment such as the \$219,000 spent to entertain the world bankers last year. Instead of this kind of extravagance, the government should be spending more on services to people.

Mr. Nixon: The member is right.

Ms. Bryden: In particular, there should be more spent on organizations which serve our communities and whose budgets are being severely restricted by inflation, by increases in case loads and by the fact that government grants are not keeping up with the pace of inflation. Some of them are being forced to consider closing their doors.

Some organizations have been attempting to feed people who have run out of funds because their unemployment insurance has run out and they have not been able to make ends meet, but funds to these organizations have dried up as well. However, I do not think we should go back to soup kitchens. I think we should be providing jobs for those people who can work and adequate public assistance for those who cannot. A society is judged by how well it looks after the poor and the disadvantaged, and not just by how well it looks after its cabinet ministers or civil servants who can travel, or its offices abroad.

Specifically, I think we should be spending more money in the next two months on interval houses. The report which was brought down in December 1982 by the standing committee on

social development on battered wives indicated that interval houses were badly in need of additional funding if they were to carry out the role they have taken on to assist the victims of battering.

There are not nearly enough interval houses in the province. Those which are operating are having to spend half their time fund-raising to try to cover their operating costs over and above what they get from a per diem grant. Additional funding was one of the strongest recommendations in that report. There has been no increase in funding for interval houses generally across this province, nor has there been funding to produce interval houses specifically directed to immigrant women or to certain language groups that need service in their own language.

There has also been no funding for the setting up of response services for battered wives who call the police and need help. Additional training is needed for police officers. In addition, we probably need to develop response services such as they have in London where a team of social workers and police personnel responds to calls from battered wives.

All of this takes money; I realize that. However, I think it is more we must spend if we are not going to abandon women who are the victims of battering to having a police officer simply come, stay for a few minutes, go away and the battering goes on.

We also need advocacy services for women who go through the court process to try to get some change in their circumstances and to get it recognized that battering is a criminal offence and that people who engage in it should not be allowed to get off with suspended sentences or no sentence at all. Hiatus House in Windsor is one that was carrying on advocacy services and is now in grave danger of having to cease its activities if its grant is not increased.

That is one of the areas where we should be spending more money in the next few months. Another is winter job creation. There are many proposals before the government for accelerated municipal works from many municipalities. There are proposals for housing from co-operatives and from nonprofit housing groups. They have plans ready to go. If we could put

some funds into those projects, more jobs would be created this winter.

Canada Mortgage and Housing Corp. has put a cap on the amount of grants it is providing for housing. Since we are in such great need of affordable housing in this province and in such great need of jobs, it seems to me that the province should get into the act at this stage and move ahead with these programs. It is much better to have people working than to have them on welfare, causing problems with their families as well as providing incentives to crime and things of that sort.

I also mentioned one way of stimulating the economy would be to bring in legislation providing equal pay for work of equal value. As the members will recall, this House unanimously endorsed the principle of equal value legislation last week. To bring in legislation in favour of implementing this concept would be to provide a great deal of additional purchasing power to the many women who are in undervalued jobs and are not getting their fair share of wages. It seems to me that would be a good way of increasing the purchasing power available. At the same time, we would be finding out whether the government really believes in implementing that principle, after all the government members in the House stood up and voted in favour of it.

8:10 p.m.

Another area I was discussing was the need for catching up in high technology. Canada is lagging behind other countries. If we do not invest some of our money in developing more high-tech industry in this country, we will not only fall behind, but we will be in danger of having more foreign control in this country. We will be in danger of losing control of our information and our data bases. We will be in danger of losing control over our ability to plan the destiny of this province. That was another area where I thought we needed a redirection of government spending.

I talked about the microtechnology revolution and its serious consequences for people in clerical and service jobs particularly and in manufacturing jobs that can be robotized, and I spoke of the need for government to put some money into meeting this revolution. There is a very good report prepared by the United Nations called Equality, Development and Peace. It was issued in July 1980 to the World Conference of the United Nations Decade for Women. It has one or two very important things about how women are affected by the microtechnology

revolution. I would like to read one or two of them into the record.

The Acting Speaker (Mr. Cousens): Is what the member is talking about related to the motion before the House?

Ms. Bryden: Yes, Mr. Speaker. What I am suggesting is that we have to put some money into meeting the microtechnology revolution and the effects it is going to have on our work force, particularly on women.

The Acting Speaker: Thank you.

Ms. Bryden: The United Nations in its report said, "It is stressed that necessary structural change must take place in socially acceptable forms and with a significant social and trade union influence on how the structural change is realized."

I think they make a very important point there, that if we are going to meet the effects of the microtechnology revolution, we have to involve the workers and, particularly, we have to involve women in discussing how it will affect them. We have to involve guidance teachers in orienting the women and the girls in the schools to look at the change that is happening in the job world and to orient them towards math and science and computers. We have to meet this challenge by planning for it jointly.

I have one more quote from the United Nations statement: "The application of the new technology is likely to bring about a more polarized vision of labour, with women at the bottom of the new hierarchy. Computerization tends to produce a strictly segmented work force—a large group of basically unskilled operators with little mobility and a small elite, highly paid group of tertiary educated professionals."

That is why they suggest we do need to get women involved in the planning and the retraining techniques if they are not to be dropped to the bottom of the heap. This is a final quote from that report: "It is important that women take part in the ongoing public debate, in the many studies currently being prepared and in the decision-making bodies concerned with technological change. In this report we have provided some examples which may serve to illustrate where women might channel their attention and influence."

I would like to suggest that one place women might channel their influence is through the Ontario Status of Women Council. Part of its mandate is to study questions that are referred to it by the government. It seems to me the whole question of the effect of the

microtechnology revolution on women is a subject that should be referred to the council immediately, but they will not be able to do the work unless the government increases their allotment. On a budget of about \$170,000 a year they cannot carry on this kind of research. That is one area where we hope to see a redirection of funding in the next few months.

It is possible that a conference might be called by the Ontario Status of Women Council on the kinds of measures that are needed for dealing with microtechnology. It should be a conference that would involve trade unions, management, women's organizations, community organizations, academics and educationalists. I think it would be very worth while if the government considered funding that kind of conference before we are facing the actual fallout from the revolution.

In the field of its own employees, the government should also be spending more money to help close the wage gap in the Ontario public service. The Minister of Labour (Mr. Ramsay) boasted in the fiscal year ending 1981-82—that is the last report we have—that wages of women went up from 72 per cent of men's wages to 73.6 per cent. So there is a gain of 1.6 percentage points in the wages of women as compared to the wages of men, but it is still only 73.6 per cent. This is something that has to be changed in the public service if women are to be given equal opportunity and are to be represented in all of the different categories and in the higher jobs.

In 1982 the public accounts committee did a study of the women crown employees' office and came up with the idea that perhaps the government's goal, which it had set some time earlier, of achieving 30 per cent representation of women by the year 2000 was a bit too ambitious. They thought that perhaps the government should restudy that goal.

It seems to me that if we are going to wait 17 more years until the year 2000 until we get just 30 per cent representation in all categories in the public service, it is a long wait for the women who are not getting the same opportunity to move up the ladder and into the higher-paid jobs. In fact, the 1981-82 report of the women crown employees' office that I mentioned showed that there were still 10 ministries below the average representation of women, which was 41.2 per cent across the board.

Those ministries include the Solicitor General's with only 15.4 per cent women and the Ministry of the Environment with 20.9 per cent women. It seems to me those are ministries

where not all the jobs are ones that only men are trained for or that only men can do. Those are areas where the government should be looking at retraining programs and affirmative action programs to raise those percentages. That is another area where we need some change in the direction of our government spending.

8:20 p.m.

We are told there is going to be a bicentennial celebration in 1984 in Ontario. Presumably we are celebrating the 200th anniversary of the arrival of the Loyalists. But I think most people regard the bicentennial as the 200th anniversary of the founding of the province—and the province of Upper Canada was founded in 1791.

If we are going to have a bicentennial, I suggest it should be in 1991. In other words, we are seven years ahead of our bicentennial. It looks to me as though this proposal is an attempt to provide some bread and circuses in the pre-election year and get people spending money on celebrations rather than on some of the areas I have been mentioning.

We are cutting back or not keeping up with the cost of living in many areas, such as hospital care, where we have bed shortages and waiting lists, and the area of housing, where we have tremendous waiting lists. Instead of looking after those bread and butter issues, we are going to spend a proposed \$5 million to \$10 million on a bicentennial. When we are voting supply, that is an area where we should really say, "Forget it," and get on with some of the basic needs of this province.

Another area where I would like to see a change in government spending is in government advertising. It has been steadily going up. In 1979-80 it was \$23.9 million, which made the government one of the larger advertisers of this country. In 1980-81 it went up to \$35.4 million, and it has stayed close to that level ever since.

This advertising is not all informational advertising. A great deal of it is promoting the image of the Progressive Conservative Party and of the government, but is not benefiting the people with information on government programs or telling them where to get their car licences. Instead, it is really promoting the government.

Advertising of that sort should not be allowed as a government expense. It can be an expense of the Progressive Conservative Party, if it wants—although in that case it should also be subject to limits under election expenses law, whenever it occurs. That is an area in which we would like to see more restraint, if we are going to talk about restraint.

This last week, the Minister of Intergovernmental Affairs (Mr. Wells) presented us with a statement entitled Ontario's International Relations: A Perspective, 1982-1983. What this tells us is that Ontario is really trying to become a sort of little Canada in its external affairs operations.

In the past we always have said the federal government looks after external affairs and the provincial government looks after things in the province. But at the present moment we have the following international offices for which we, the taxpayers of Ontario, are paying.

We have offices in five American cities: New York, Chicago, Los Angeles, Atlanta and Dallas. We have four offices in European cities: London, Paris, Brussels and Frankfurt. We have offices in two Asian cities, Tokyo and Hong Kong, and we are opening some satellite offices in Boston, Baltimore and San Francisco. We really have our own external affairs department.

These offices are not cheap. They usually involve very large expenditures of money on either leasing or building offices, a great deal of money on entertaining and some pretty high-priced jobs for some supporters of the Conservative government in many cases.

I question whether we should be developing this kind of external affairs ministry when there are so many other needs in the province and when the federal government is maintaining offices in all these places and we can use its services and work with it. That is an area we seldom debate; perhaps we will when the Ministry of Intergovernmental Affairs estimates are dealt with.

Another area people always draw attention to, and I think we should draw attention to it, is Minaki Lodge. We spent \$45 million on that and it looks as if in the coming years we are going to have to spend additional money to keep it operating. When the government starts into something like that, it should look ahead and see what the actual needs are and what the costs are likely to be and whether it is going to be a viable operation.

Incidentally, there was a little item in the Toronto Star that made me wonder what kind of an operation it was running. When a reporter who had a photographer with her tried to take him to dinner in Minaki Lodge when she was up in that area, he was rejected because he was wearing jeans. So it would appear it is not open to all the residents of Ontario. This is another area where we appear to have built a very expensive and elitist facility at government

expense, and I am not sure how much it has benefited the local area in terms of jobs and its economy.

One change in the direction of government spending I would like to see is towards more preventive work. People from the Registered Nurses' Association of Ontario were around lobbying members last week about changing the direction of our health spending to more preventive work.

One of the things they told me, which I did not know, was that we only spend 3.3 per cent of our health budget on preventive work; and health is the largest or second largest item in the budget. They were talking about more lifestyle work to keep people in good health, to have them look at their lifestyle and adjust it if it is not a healthy lifestyle. They were talking about nutrition and diet education. They were talking about recreational and exercise counselling.

In their opinion, all those things would contribute greatly to an improvement in health because they would result in a fundamental change in lifestyle in many instances. But there is very little promotion being done in this field. As a result, our health bills keep going up for acute cases in hospitals and for long-term diseases, lung cancer and things of that sort.

Another kind of preventive work is to help senior citizens stay in their own homes. In my area, there is an organization known as the East Toronto Seniors Centre, which provides recreational services to bring seniors who are living alone out of their homes for socializing, education and recreation generally.

The centre is funded under what they call the Elderly Persons Centres Act, which was passed in 1966 and which provides grants for the development of such facilities at the rate of \$15,000 a year maximum. The organization has to match that fund; so its total budget could be \$30,000 a year with the government grant. It could go over that if it could raise more than 50 per cent, but it is difficult enough for an organization of senior citizens which is not primarily in the fund-raising business to raise even the \$15,000. However, that ceiling has not been changed since 1966 and the consumer price index in that period has gone up by 236 per cent. For those organizations that are able to match additional dollars, there should be a 236 per cent increase in the ceiling.

8:30 p.m.

A report has been presented to the government by the Association of Elderly Persons Centres suggesting not only that there should be

an increase in the ceiling but that these ceilings should be indexed and that the grants should be increased to allow an extension of these services. They are basically services that keep our seniors healthy and keep them out of hospitals and nursing homes. But this is another agency that is being allowed to struggle along at half-pace. There is something like 20 centres of this sort on the waiting list for funding. They have not even got the first \$15,000 or any part thereof. So this is another area to which priority should be directed.

Helping seniors to stay in their own homes through services such as homemakers and assistance with household tasks that are beyond their abilities is another area that is underfunded very seriously. The organizations that provide these kinds of services still have to spend a great deal of their time in fund-raising and are not able to extend their services. There is one in my area that serves about 2,000 seniors, and its estimate is that there are about 8,000 seniors needing its services. It shows how the government is not living up to its so-called commitment to help seniors stay in their own homes.

Those are some of the areas in which I would like to see a redirection of spending. I hope we will be looking at those kinds of redirections, particularly when the new budget comes down. There is no reason why some of these areas could not be dealt with this fall, particularly the urgent ones such as the grants for interval houses and the grants for the senior citizen centres.

Mr. Mancini: Mr. Speaker, I wish to join my colleagues in the debate on the motion for interim supply. Basically, I believe at all times that we should never give the government supply, because I am pretty well satisfied that the government is doing an awful job and that it should not be allowed to waste any more of the taxpayers' dollars. But I have to weigh that against the fact that the civil servants who are working, the municipalities that are waiting for their grants, etc., would also be harmed if the government were denied supply.

Of course, the government will again receive supply and there probably will not be any sustained interference from the opposition as to its receiving supply. But basically I believe the government does not deserve supply. They have done a lousy job, and since the 1981 election they have been particularly poor in the way they have operated.

I will not go into a great many separate subjects as my colleague the member for Beaches-

Woodbine (Ms. Bryden) has done. I would like to put on the record that the Ontario Liberal Party's policy paper on youth employment—I know the Treasurer (Mr. Grossman) is very interested in this—

Mr. Nixon: He needs someone to explain it to him.

Mr. Mancini: Yes. He has already tried to spread misinformation on the policy, and I assume the government will continue to do that. It always amazes me how the government reacts to an opposition party's policy papers. It does the same thing over and over. It is like watching the same movie over and over. First, it decries the policy itself, saying it is worthless. Then it starts nitpicking, as the Treasurer tried to do; it tries to punch holes in a basically sound policy. The third thing is that when it finally realizes it is a solid policy and the people of Ontario are demanding that it be implemented, it changes the covers of the policy documents from red to blue and, lo and behold, it announces a wonderful new policy that is going to help the economy of Ontario. It tries to make its own party look as politically good as it can.

I understand that is politics. I just wonder why we have to go through the first two phases of that. During question period today, the Treasurer gave us a very good example of how the government reacts. The first opportunity he had to say something about the Liberal policy for employment for youth, he tried to nitpick. He probably had not had enough time to read all the documents and to go over all the information provided in his usual methodical way.

For the assistance of the Treasurer and for the members of the House, I would like to place some of this valuable information on the record. In September 1983, 159,000 young people were unemployed—a crisis by anybody's definition. Yet we sit here daily waiting for the government to act, to use the supply it has received to help these 159,000 unemployed youths.

We also found that one in six of all youths is unemployed. The incidence of long-term unemployment among young people is particularly alarming. Approximately 28,000 persons between 18 and 24 years of age in Ontario have been unemployed for 20 weeks or more, meaning they face long-term unemployment. If one is unable to find a job in eight, 10, 12 or 14 weeks, the likelihood of finding a job after 20 weeks is not very good. Some 28,000 of Ontario's young people have been unemployed for more than 20 weeks.

Having waited for the government of Ontario

to take action and having seen no action forthcoming, the Ontario Liberals decided to put forward a program the government could easily adopt. It would not be throwing money at a problem just for the sake of throwing money away. It was a program that would be practical, effective and efficient, and one that would work. It would get to the hard-core unemployed youth who cannot find jobs after 20 weeks of unemployment, who have poor job skills and who have not received any higher education.

If we do not try to improve the status of that group, we will suffer grave consequences in the years ahead. If we do not act to help them, we are literally throwing their future away. That group needs to be attended to immediately and in such a way that will improve their status and give them a chance when they are 30 and 35 years of age.

8:40 p.m.

No part of Ontario has been left untouched by the problem of unemployed youth. We commissioned Statistics Canada at our own expense to give us the regional breakdown of unemployed youth in Ontario. I would like to place on the record the statistics for the summer of 1983, the most recent statistics.

In southeastern Ontario, the Kingston-Ottawa area, 14.5 per cent unemployment among our youth; Peterborough area, 19.1 per cent; in central Ontario, meaning Toronto, 15.7 per cent; southwestern Ontario, Hamilton, 20.9 per cent; London, 16.8 per cent; Windsor, 20 per cent; south central Ontario, Kitchener, 12.6 per cent; north central Ontario, Georgian Bay, 13 per cent; northwestern Ontario, 12.1 per cent; and finally northeastern Ontario, 25.1 per cent. No region of Ontario has been left untouched by this crisis.

I wonder what the northern members of the Ontario Conservative caucus have been recommending to their cabinet ministers when they realize that 25 per cent of the youth who live in northeastern Ontario are unemployed. Do they want those young people to stay and live in the north, or do they want them to join the migration to central Ontario, to Toronto? Is this going to be the only place in Ontario where there might be a job opportunity?

I urge the northern members of the Ontario Conservative caucus to speak up for their youth, to offer them a job in northern Ontario.

In order to prove to the Conservative government that there is room for a practical job creation plan, a case study was done in the Peterborough area. We have proved beyond the

shadow of a doubt that if the appropriate policy were enacted and put in place immediately, there are innumerable places where the unemployed youth could work.

They could upgrade their skills, be useful to society—and feel they are being useful to society—instead of going from one place of business to another in search of a job, or reading the papers and finding that week after week there is nothing for them because of their lack of skills and lack of opportunity. They have not been able to stay in the work place long enough to obtain skills they can transfer from one work place to another.

We have done a case study in Peterborough and I recommend that every single member of the Legislature read the report. For example, we take a look at hospitals. The Peterborough Civic Hospital could provide jobs for five to eight people for at least 16 to 20 weeks, working on the following projects: microfilming, setting up and refiling systems, transferring information and materials, painting, fire safety patching and grounds keepers, as they have 50 acres of land.

St. Joseph's General Hospital currently has eight people working under the Canada-Ontario employment development program. This program will expire in April 1984. The hospital could use five additional people for up to one year for assistance in the general maintenance areas. These people would be employed in the nonunionized area so as not to interfere with the current part-time workers.

Let us look at the Springdale Nursing Home. This facility could use program placements for the following activities: two people, one during the day and one in the evening to assist the activity director in such patient activities as walks and cigarette breaks on a year-round basis; one person for general housekeeping duties, washing windows, wiping walls, making beds, etc., on a year-round basis. Springdale has told us it could use four people on a year-round basis.

Centres for the physically or mentally handicapped have also informed us they could employ the unemployed youth in many areas and use their energy and enthusiasm in many important and good areas.

Volunteer organizations: the Canadian Red Cross, Peterborough branch. The organization is run almost entirely by volunteers. They currently perform all paperwork duties and maintenance. Their facility was just fully redecorated in February 1983. They could use one

person on a year-round basis for maintenance, grounds keeping and snow shovelling.

Environmental groups: The Ontario Public Interest Research Group, Peterborough. This organization expressed a need for one person on a year-round basis. I could go on and on and list the 14 or more pages that we have been able to compile of job opportunities that could be made available if the supply that was being given to the government was used not for government advertising but for the unemployed youth.

That is where the supply should be going, not continually to advertise Miss Penelope on TV, not to wish everybody a happy hospital day and things of that nature, not to try to promote the Conservative party through clever government advertising. The supply should go to where it is needed and right now the unemployed youth need this supply.

I would like to take a moment to outline the objective of our program. It is simply to provide to long-term unemployed youth a substantive program offering up to one year's work experience at basic minimum wage, education upgrading and career employment counselling. Any youth could participate in this program if he or she has been unemployed for 20 weeks or more.

The program would allow a maximum participation of up to one year. This program would have a mandatory educational upgrading as part of the job that would be required from the unemployed youth. This mandatory educational upgrading would require that they, on their own time, spend six hours per week upgrading their educational faculties.

Further, during the regular 40-hour work week, four hours would be spent—and this would be mandatory—on career employment counselling and identifying skills and training opportunities.

8:50 p.m.

In brief, the program would allow participants to qualify if they were between the ages of 18 and 24, out of work for 20 weeks or more, and willing to work hard and commit themselves to educational upgrading and life skills counselling.

The qualifications for the employers would be any public sector organization, no displacement of current or likely future employees, willingness to provide participant evaluations, provision of productive work, preferably with some training aspect, and ensuring the employment would last at least three weeks.

The wages would be the minimum wage plus benefits. It would consist of 36 hours per week on the job, four hours of employment counsel-

ling and, as I mentioned earlier, six hours of their own time trying to upgrade their educational skills.

As I have already mentioned from the Peterborough example, typical employers could be provincial parks, conservation areas, hospitals and clinics, libraries, schools, day care centres, community-based organizations including home care services, volunteer organizations, public interest groups, legal clinics and scores of others.

The types of employment, and I have already mentioned some as I quoted the Peterborough example, could include home care services, assistance to teachers and nurses, outreach assistance to the elderly and handicapped, grounds keeping, general maintenance, rehabilitation of historical buildings, etc.

The locations for applying for such a program would be the Canada Employment Centre, youth counselling services, labour councils, school guidance offices, or directly by mail or phone to the program office. The program would be administered by the Ontario youth secretariat. No new bureaucracy would be set up. The money would go directly to the people who need it the most. We are not interested in creating more bureaucracy. We are interested in using the bureaucracy we have as efficiently as possible.

We have estimated that at least 14,000 unemployed young people could have used this program last year, could have had an opportunity to work for one year, to do productive work, to upgrade their educational skills and to receive counselling so that when they finished this program they would be better equipped to challenge the marketplace. They would be better equipped to conduct interviews, to fill out resumés and to know what a work place is like, what an employer expects and what one's colleagues in a work place expect of one. These things all have to be learned and if a person is not given an opportunity they are never going to be learned.

One of the reasons we are going to vote supply to this government is because we hope it will use the money it will be voted to help the unemployed youth of this province. As I said earlier, 159,000 young people are waiting for the government to act; 159,000 young people are waiting for an opportunity; 159,000 young people are asking for a chance to be part of the economic system of Ontario; 159,000 people want to earn their way.

Mr. Allen: Mr. Speaker, I would like to address a few remarks to the subject of interim supply, partly because we have a new Treasurer among us and there are a number of sectors of expenditure which are of great concern to many members of this House that perhaps do not get as much emphasis as they might in the debates they face in the Legislature. I want in particular to call his attention to the importance for the quality of life in Ontario of expenditures in the general realm of the artistic and cultural organizations of this province.

It has become, in recent months and years, perhaps somewhat more commonplace than it once was to observe that the artistic endeavours in our country and in our province are much more significant, economically speaking, than we once imagined. I suppose in the past we seldom took time to measure how many people went to cultural events or took part in artistic activities, seldom took time to measure the spinoff economic activities, the dollars and cents that went to purchase a ticket to the theatre or a ticket to the orchestra, and to note where that money then went, evening by evening, performance by performance, and to gauge its overall impact in our economy.

It is interesting that in recent years various cities, as well as provinces and even the nation as a whole, have undertaken to try to gauge that kind of expenditure and its impact on their own regional economies. The city of Vancouver, for example, has published a very interesting brochure with a rather catchy frontispiece. It shows a rather well-furnished office and it asks at the top of the picture, "Take the arts out of this picture and what is left?"

Then it shows the picture on the inside, and there sure is not much left. In fact, they even leave something in, which is a matter of artistic design; namely, the man's desk itself and the telephone. But if one looks at the furnishings and at the range of the arts that contributes simply to the furnishing of one simple office, one ranges through such things as sculpture, paintings, etchings, the production of various artefacts, the telephone itself, a very fancy chess game, the art calendar, the designs on the book covers, the planter in which the plant is sitting, the carpetry, the textured weaving in the drapes, and the desk and so on. It becomes quite obvious, when stopping to think, that although these are all very commonplace elements of our lives, the obvious expenditure in the arts is something that provides a great deal of stimulus in an economy.

When the city of Vancouver undertook to work out the more obvious impact of arts expenditures, it concluded that the direct spending by the nonprofit cultural industry in the city itself totalled about \$17.4 million. When the largest city of this continent turned to the impact of cultural and related activities in New York City, they discovered that the impact in the city's economy ran to the order of \$3 billion.

It is observed in Ontario—and I hope the Treasurer bears this in mind as he looks over the various submissions for expenditure that come from the Ministry of Citizenship and Culture in particular, but also from some other ministries too that have some bearing on the arts—that the cultural industry in the province amounts to somewhat more than the steel industry or the pulp and paper industry, two of our largest industries, both in terms of dollars earned or in terms of men and women employed. What we are talking about, obviously, in terms of the most immediate economic impact of the arts sector, is something that is a very large-scale industry.

9 p.m.

Second, I think it is often not recognized that the total attendance at artistic events well outnumbers the attendance at sporting events in the province. We often have that measure reversed in our minds and tend to accord the sporting industry as being a much more significant player in the economy.

When one begins to look at the amounts some of the festivals and orchestras, etc., expend across the province in local economies, it is obvious that for the immediate cities involved there is a very important economic impact. The Shaw Festival, for example, which generates in spinoff revenue in Niagara-on-the-Lake and the immediate vicinity something in the order of \$15 million to \$20 million annually, is an organization which derives only four per cent of its operating budget through the Ontario Arts Council. The overall contribution to the local economy far outweighs the amount of stimulus that the direct Ontario Arts Council grant provides.

If one looks at the Hamilton Philharmonic Society, just totalling up the 181 T4 and T4A forms the orchestra issues year by year, a total payroll of about \$1.1 million, virtually all of that money is spent in the area on rent, mortgages, cars, clothes, furniture, food and what have you.

When one takes into account the smaller community orchestras in Ontario in 1981-82, the low-budget orchestras as they are sometimes

called, to which the Ontario Arts Council grants funds totalling in the order of \$145,000, their direct expenditures in their local communities run to \$1.5 million. One has to observe that government grants to these agencies immediately provide a catalyst not only for the attraction of other moneys to those organizations, but also for further expenditures through the vehicle of the arts.

When government asks what comes back quite beyond the question of local impact, nobody has quite a full answer, but if one looks at a single organization like the Canadian Opera Company, which secures something like \$540,000 in grants from the Ontario Arts Council, government moneys funnelled through the arts council to that organization, fully \$625,000 in taxes comes back to government as a result of those expenditures.

As one looks at facet after facet of the economic impact of the arts, it is obvious one is talking about a significant component of the economy. I wanted to participate in this debate primarily to call that fact to the attention of the new Treasurer and to hope he would, therefore, look generously on those members of his own cabinet who will be trying to persuade him to shift his priorities somewhat in their favour, those ministers who have aspects of the arts in their budgets and, in particular, the Ministry of Citizenship and Culture.

In spite of this remarkable contribution to the economy, I would not myself want to dwell totally upon that aspect and I am sure the Treasurer himself would not, as the primary justification for substantial contributions to the cultural community in our province. I just want to note that its economic impact is of great value, particularly for those among us who like a good hard dollars-and-cents argument and who want some kind of pragmatic justification, some tangible evidence that the money is not just flitting away, disappearing and being spent frivolously.

I think one always must make the corollary point, to which I think the Treasurer himself will be sympathetic, which is significantly to reward those organizations and those individuals in our society who are able to present to us images of our world which enlighten and expand our horizons, which transform our world because they change the way in which we look at it, or which augment our sensory experience, whether it is by sight or by sound, and thereby change our world and make it a richer place and one in which one can feel a genuine sense of belonging

as an imaginative human being. The aesthetic dimension of the arts must always remain uppermost in our calculations, and the funding that goes in their direction must be bent in that direction primarily for those reasons, notwithstanding the importance of the economic impact.

In that respect, I want to call the Treasurer's attention to the fact that so many people in the artistic community feel themselves to be very much on the margin of our society. They find it difficult to understand why, when they engage in such creative endeavours, when they spend so much energy at their easel, at their instruments, at their sculpting, they so often are rewarded so poorly as professionals. If he has not seen the cultural statistics of Statistics Canada, I would remind him that it would be very enlightening for him to look at them because they portray a cultural community which is very much locked into part-time work to support itself, a community which on the average, as Statistics Canada tells us, has a level of income just barely above the level of income of pensioners in our society.

Their sense of being on the margin, their sense of being marginal for what is important in our society is reinforced by the kind of compensation with which we reward them. It is true there are some professionals, some stars, who far exceed the incomes that hover around the median point or the average point for the artistic community in general. But it is amazing how many competent artists one can talk to and whose work one can view and see how impressive it really is and yet have them reply that if they really felt they wanted to put their pride in their back pocket, they could go downtown and apply for welfare and quite easily qualify. That is a shocking state of affairs, and I think it is one the Treasurer will want to think about for some time.

It is not the individual artist alone who is in that condition. There is quite a network, of which the Treasurer is probably aware, of art agencies that network for the artists and attempt to provide them with a window on the community and on the province and offer them avenues of expression and perhaps, in some respects, avenues for the sale of their work, which themselves are at this point very much cornered, not just by the economy being in the state it is, but almost as a matter of course. For example, one I am thinking of has two employees who do a mammoth job of interrelating one major sector of the arts in this province. Yet that

organization at present is looking at the potential dismissal of one of the two of them.

9:10 p.m.

Artists are gathering together in rather interesting co-operative ventures to attempt to solve this problem as best they can. They do not make a plea for immense amounts of funding. What they do need is some very clearly improved basic amounts of seed money to keep them moving, to keep that catalytic function going so that they can, in turn, use that money to earn new money for themselves.

They are not particularly impressed by the last budget of the Ministry of Citizenship and Culture in which, for example, the budget for information services and regional services went up by 232 per cent. They are quite concerned that the ministry is attempting to develop a budget for a bureaucracy that will do for them what that bureaucracy thinks best and not what they think best. They would much prefer to have the amount of money that is represented by that increase distributed among their own agencies so that they can function as their own public relations persons and engage in their own campaigns.

Those campaigns are often not very promising, particularly on the scale and of the kind the ministry has tended to suggest to them in recent years. The ministry has attempted to move them more to a dependence on private sector funding. I must relate to the Treasurer the experience of one organization which secured a fairly prominent writer to undertake a campaign among something like 185 middle-ranking corporations in Canada. After several months of beating the bushes, the end result was one new contribution.

The astonishing answer that came from many of the organizations was, "We are sorry, TVOntario has been here before you" or "The Royal Ontario Museum has been here before you" or "The Toronto Symphony Orchestra has been here before you." In other words, the competition after a certain point becomes almost absurd for arts organizations below a certain level of power and impact to engage in.

For that reason, it is quite false for spokesmen in the Ministry of Citizenship and Culture to speak as if the world of the arts was a world of Darwinian struggle in which small artistic groups competing with one another somehow or other produce the large-scale winners as the ones that ought best to be supported and deserve support the most. Obviously, that is simply not a model that fits the world of the arts. One can hardly see

in the history of the emergence of the Shaw Festival or the Stratford Festival or the Toronto Symphony Orchestra any history of competition among a host of smaller orchestras or dramatic festivals that somehow or other produce the winner in Stratford, Toronto or Niagara-on-the-Lake. That simply is not a model that stands up to examination.

When one suggests that one should reward the winners, one is simply indulging in a kind of terminology which does not fit the facts of the case. One is, moreover, avoiding the responsibility that falls upon government to maintain that public commitment to the arts, not just as far as the big organizations are concerned, but the host of smaller cultural institutions that scatter through every one of our constituencies, every one of which functions as an enriching agency, uplifting the human spirit and making life worth while in the towns and cities in each of our constituencies.

For the moment let me simply conclude with the observation that at no time in history has the artistic world, the cultural community, managed to survive without some kind of substantial public patronage, whether it is the Medici in Florence or the government in Ontario in the latter years of the 20th century. For us, the major component of stimulating, maintaining and expanding the work of the arts must still remain with the world of government. Without it, much that has happened in the last 20 years in Ontario in that domain would simply not be there.

I think it would be unfortunate for us to leave the impression that we have a runaway growth in the arts which we somehow or other need to stem. It would be unfortunate for us to indulge in the notion that we spend too much on our cultural industries. It would be unfortunate for the government to convey the impression that it spends something in the order of \$85 million on the arts, when almost two thirds of that amount comes from Wintario moneys which are not funnelled through the budget, when it uses those moneys somehow to exaggerate the amount the province spends and then uses that as a measure, in turn, of a kind of runaway growth.

Whenever I have talked with people in the various sectors of the arts in recent months, they have been rather amused by the statement made by the immediate past Minister of Citizenship and Culture when he gave the impression that, somehow or other, we had too much culture going on in this province, that we had too many arts organizations and that it was all getting very

much out of hand. There seemed to be a note of desperation in the attitude conveyed to me with respect to the activities of the ministry.

When the province spends close to two per cent, I guess one would gauge it, of the budget on all artistic activities in the province, that is not a very great contribution. It is a contribution to the human spirit, but it is certainly not an immense nor an overwhelming one for us to shoulder, given the importance of that expenditure.

With that I wish to conclude my remarks. I notice the Treasurer has taken his eyes off his reading and has taken his little walk. I hope it was one in which he was pondering very deeply the remarks I was making and that they have registered themselves very firmly there and here, the head and the heart.

9:20 p.m.

Mr. Elston: Mr. Speaker, I have some brief comments for the Treasurer. First of all, I will bring the good news to the Treasurer in his current position. He is well up in the polls, at least in the riding I come from. His most recent rival, in his role as Minister of Agriculture and Food (Mr. Timbrell), has slipped far behind. What I am asking tonight is whether he will, in his capacity as Treasurer and part-time assistant to the acting Minister of Health, also become part-time assistant to the acting Minister of Agriculture and Food.

Mr. Mancini: He needs all the help he can get.

Hon. Mr. Grossman: He does not need any help at the moment.

Mr. Elston: That is my concern. Basically he has not received too much help, and he has not been able to come up with a very large budget to help the agricultural folks in my riding. I want to bring to the attention of the Treasurer the importance of the agricultural industry. It is, far and away, the most stable of all the industries in my riding, or at least it was until 1981 and 1982, when we came across a terrible rise in the cost of production and a terrible downswing in the return on that production.

So far, in the riding of Huron-Bruce, there has been no assistance brought forward to us to any great extent. Two or three small Band-Aid assistance programs have come through. Some of those programs, which have been worked through the Ministry of Agriculture and Food, have turned out to be quite short in meeting the need and certainly have cut off those people who ought otherwise to have been qualified. I am speaking about the payments made to the

beef producers at the end of 1981, the beginning farmer assistance program and the Ontario farm adjustment assistance program, which do not do anything to address the problems that are affecting the farmers in my area.

In particular, the red meat people are hard-hit. The beef producers of Bruce county, that once-proud county of producers with the largest beef herds in the whole province, are suffering terribly in terms of financial difficulties and the psychological stress that has been placed upon them by the downturn in their industry as well as the stress that has come about because they have been waiting for some two and a half years or, more particularly, somewhat more than a year since the appointment of this new Minister of Agriculture and Food who, in some way or another, appeared to be coming forward to become the saviour of the farmer in Ontario. That just has not happened.

I bring the Treasurer information that the beef people in my riding are keenly aware of the fact that this fall and winter will provide the test of whether this Minister of Agriculture and Food is ever going to do anything. The beef producers in my area are quite sure they can produce and compete in any of the lands. They are an efficient lot. They have the infrastructure to support a very good, stable and viable industry. But one thing they have found they are unable to do is to compete with the producers from other parts of this great land of ours who are shored up by various government programs in other provinces. I speak particularly of the beef assistance programs in Manitoba, Quebec and Saskatchewan. In addition to those programs, in some of those provinces there is government assistance for interest rates. With those programs in place in other parts of the country, there is not a whole lot of hope that our industry can be stabilized at all.

In that sense, I want to bring to the Treasurer's attention that the program which the Minister of Agriculture and Food stands in this House so often and speaks about, the stabilization agreement between the four provinces of Alberta, Saskatchewan, Manitoba and Ontario, which will take in approximately 90 per cent of beef production, as the Minister of Agriculture and Food says, will do very little to stabilize our industry in Ontario when there may not be very much left to stabilize. It is a concern of the people that the money which will be put into that program will be far too late to help out our guys. They feel they have to get assistance so

they can at least get on an equal footing with those people from other provinces.

The Minister of Agriculture and Food indicates he will not introduce a program of any kind that would provide assistance to our farmers, because he feels it would jeopardize the negotiations. For him to say it would compromise his position around the bargaining table is evidence that he does not understand what he is bargaining for. I understand that we will end up having a program whereby these other provinces will be able to wind down their assistance programs while Ontario stands pat. What the Minister of Agriculture and Food has obviously agreed to do is to let more of our people go out of the market altogether and stabilize at a very low level of production.

I remind honourable members that the milk industry was treated in a rather similar fashion and we lost a good portion of our production. There are two members who represent that great dairy-producing area of Oxford county, but there would be far more dairy producers and far more dairy production had Ontario stood up at the critical times and supported our dairy industry in a manner similar to that done in Quebec. We lost a marvellous portion of our productive capacity because we let the dairy industry be drained away from us. We are in danger of doing the same thing with the red meat industry.

I want to bring to the attention of the Treasurer my concern that we are letting the negotiations actually take that portion of the industry right away from us as well. I do not know that it is understood well enough just how serious the problem is. We go to meetings all the time, and people come to us and say: "Can't you move the minister? Can't you move the deputy minister?" I have people saying they have spoken with the Minister of Agriculture and Food and with the deputy minister and neither of those people understands the torment or the feeling of the farm populace.

I urge these words to the Treasurer at this time because we are dealing with a particular appropriation of funds. I think the seriousness of the problem in the agricultural sector bears bringing to the government's attention at every opportunity. Unlike the speaker on another occasion, I do believe there is an emergency in the red meat industry. In particular, I believe there is an emergency with respect to the beef-producing people of this province. We are in a position to lose them all or to help them, and I urge the Treasurer to provide us with assistance.

I know that at some future time, a time unbeknownst to us now, the Treasurer will have to come up with somewhere in the neighbourhood of \$2 billion in terms of feeding the stabilization program for a certain length of time. Those figures may or may not be agreed upon by various people. That is what I have been informed the cost will be, and the Minister of Agriculture and Food tells me in an answer to my question in the House that those will be taxpayers' dollars from the Ontario government. That is fair, if we have anything left at that time to stabilize. It would be a shame if we had to reconsider our position or our reason, or even the need, for putting that stabilization program together some months down the line.

This is the last winter for a good number of long-time beef-producing families in my area if something does not happen for them very soon.
9:30 p.m.

I have three or four shorter matters I would like to bring to the attention of the House. Understandably, they all relate to financial matters in the community. In particular, I am concerned that the home owners of this province are being placed in an unfair situation when they come to renegotiate or renew their mortgages.

Almost on a daily basis, I see examples of people who had to renew mortgages at very high interest rates—mortgages in the year gone by reached 19 per cent and more—because they could not afford to pay off the mortgages. They had to renew the mortgages. They were sometimes induced to sign those renewal agreements when the local offices said, "Yes, on payment of three months' interest we will renegotiate these things if the interest rates go down." Interest rates have now come down, and I have had examples of home owners being asked to pay \$6,000, \$7,000 and \$8,000 to renegotiate their mortgages, which were renewed at 19 per cent and so on.

We have to take a long look at the system which allowed, in the case with which this Legislative Assembly can deal, a trust company—because trust companies are doing this as much as anyone else—to write in or to add to its standard forms a particular clause which actually amounts to the contracting out of any legislative protections which those people may have. Not only that, they contract out of any legislative protection which they may have by virtue of activities of this forum.

I think we have to make a decision to provide some protection for those people who cannot

protect themselves. You or I could have been in this position, Mr. Speaker. Maybe you were; I do not know your situation. Maybe you had to renew a mortgage last year. I know all kinds of people who had to. There are all kinds of people who had no other choice but to stay with the institution. They had no other choice but to sign that renewal agreement, no matter what that agreement said. In most cases, they did it without having independent legal advice and, if they had had independent legal advice, they would have had to sign that agreement anyway to protect their homes. There would have been a foreclosure had they not renewed.

It is particularly devious that the people who presented those forms for signature did not also include on those forms their oral undertakings that there could be a renegotiation on three months' notice. It seems to me that some activity has to be directed towards that part of our economy as well and, through you, Mr. Speaker, I bring it to the attention of the Treasurer.

The Treasurer heard my colleague the member for Essex South (Mr. Mancini) deliver to the House this evening some details of our youth retraining and employment opportunities program. Now that post-secondary facilities are back in session, I am reminded of those students who were not able to work through the summer or who are still unable to win the student lottery, if we can call it that, and obtain assistance from the Ontario student assistance and Canada student loan programs.

It is all well and good to listen to the Treasurer indicate the number of jobs that have been created through his various patchwork programs, but it certainly has not helped those people who had to try to find work for the summer and then had to try to make ends meet so that they could start their schooling in September.

I am reminded of one particular person who comes from my riding. He had worked at a particular facility under the auspices of the Ministry of the Environment for some time; he had developed an expertise in that field and actually carried on the work of the facility almost on his own. He had been working his way up the scale of employment remuneration when he decided he would go back to school. He did that last year.

He was told that when he came back to the facility this past summer, the summer of 1983, he would be hired back at the facility at the rate at which he had stopped work the previous year,

and he could expect that there would be an incremental increase based on whatever was given to other employees, in this case probably a five per cent increase.

When he came back, he was told two things. First, he would be working, not for the \$5 he had worked his way up to, but for the minimum wage. Second, he would not be working from the first part of May through to the end of August, but only for nine weeks, because that was all they would be able to pay him. That student did not have much of an opportunity to take advantage of much of the remuneration he had expected to receive when he made the decision to go back to school.

I bring to the Treasurer's attention my concern about the problems with those students being able to go back to school.

In addition, I bring a third concern. It deals with students who are still at educational facilities and with some who have left post-secondary training. Those are the people who are being reassessed now for the 1981-82 school year and who are finding out that they owe the Ontario government any number of dollars. They are being pressed on an almost daily basis to pay it back right away when they do not have employment with which to earn the money. What the government collection agency is asking is that those people go to banks or whatever to pay that money back to the government. The government is not really concerned that the banks do not lend money to people who are not earning a return.

In one case, an elderly grandmother has had to put up her money to save a granddaughter from the harassment that has gone on over the past several weeks. Perhaps that is one way the current government has decided it will reduce its deficit or feed its coffers, to take it from the people who are least able to pay the money.

My fourth concern, and this will be the last one I will bring to the attention of the assembly, is with respect to the municipalities. This is a financial matter and it reflects upon some of the past experiences of the municipalities of this province and some of the experiences we are now going through.

Most of the problems in the municipalities now, like the problems with governments all over, are related to the fact that they do not have the funds to deal with their programs. They may be caught short in terms of finding the funds for capital expenditures; there is no help through the provincial government. They may be caught short in terms of providing some

services in their own communities; there is no help through the government of Ontario.

I bring to this assembly's attention the current crisis in day care which has hit the town of Wingham in my riding and which is affecting several other places, including, I understand through the Ministry of Community and Social Services, all the fair towns of Smiths Falls, Hearst, St. Marys and Vanastra, around the province.

Basically, what happened was that these day care facilities were set up with the push of the government of the day. It told—I am sorry; perhaps it is more important to tell the assembly of the things the government of Ontario did not tell the municipalities. It did not tell the municipalities that part of the funds which came to support those day care facilities were being provided by the federal government. It did not tell those fair people that there was an agreement between the federal government and Ontario wherein the federal share of those payments came to Ontario under the auspices of an agreement. That agreement called for the funding of day care facilities for children who qualify for subsidized day care.

9:40 p.m.

No one told the municipality of the town of Wingham that the program was basically for subsidized children. No one told the town of Wingham that if there were not sufficient children of a subsidized nature in those day care facilities, the town would have to find some way of providing the federal share of the money to support that day care system. Nobody told the town of Wingham anything, but it was encouraged at almost every turn in 1971 or 1970 to set up a day care system.

Now in 1983 we are told that as of January 1, 1986, the total per diem cost of those services will have to be borne either by the person receiving the service or by some contribution from the municipality. The people in the town of Wingham will not be able to meet a \$23- or \$24-per-day cost per child to be in that day care system. Right now, out of 30 places in that day care facility in the town of Wingham, five people qualify for the subsidy which is provided through the auspices of the federal government and the provincial government.

A survey taken indicates that probably fewer than 10 of the current people would be able to afford that sort of funding intrusion and that certainly the day care facility in the town of Wingham would fall. No one told the town of Wingham it would have to find that money and

no one told the town there was any involvement whatsoever by the federal government. Everybody in that town thought the provincial government was providing the money for the day care centre and that it was a policy of this government to provide that care.

On Monday, October 24, we held a meeting in Wingham and we were told by representatives of the Ministry of Community and Social Services that there is not, it appears, a commitment to provide day care services to the people of Ontario and certainly there is not funding available to provide it. We were told as well that for some reason a deception was worked not only on the people of the town of Wingham, who thought they were receiving only provincial funds, but probably also on the federal government, which did not know that the children it was paying to sustain in the day care facilities were not subsidized or would not qualify for subsidized considerations.

That is a provincially motivated program and now the province is saying it is the federal government that is pulling out and forcing us to bear the costs of that. The problem is that the town never knew at all that was going to fall on it. We do not have the funds to do it and that service is going to elude the people of Wingham, a place where we have a good number of people who work, where we have two parents in a family working outside the home during the day, where we have a hospital that has nursing people working part-time shifts who require the service of day care, and where we have people who go to factories and work for small, by comparison with larger centres, remuneration. They cannot afford to spend \$100 a week to have their child in that centre.

There is a frustration with respect to this service. Frustrations are being built up in the municipalities of this province as well, because the municipalities are sick of having programs that have been developed and sent to them and sold to them by a province that has not provided them with all the information they need. Only when the province decides to pull out of the funding portion of these programs does all the information become available.

I think when we deal with interim supply and with questions concerning the finances of this province, we should bring to the attention of the budgetary and policy people of this government that their programs are going to be successful at the local level only if they provide all the material for people to make the proper decisions. Then the people will not feel so cheated

when they come up with situations like our problem with day care in Wingham.

We have to have the funding for that program and it has to come to Wingham, to Vanastra, probably to Smiths Falls, probably to the people in Hearst, probably to the people in St. Marys, before the January 1, 1986, deadline for removal of the current billing requirements.

I could go on at some length about other difficulties we are facing. They all surround financial matters and they all reflect seriously upon either government inactivity or upon problems generated by a government that has not been fully candid with the people who have been accepting their programs. In future, when there are other policies that come to be discussed, I am sure we will speak to those matters at greater length.

I bring these to your attention, Mr. Speaker, because I know you will convey this to the members of the government side. They have to be sure that in spending our taxpayer dollars they explain where all those dollars are going and where they are coming from. The people must be fully apprised of all the ramifications of decisions the government comes to, at least those that affect the municipal level.

Mr. Cassidy: Mr. Speaker, I would like to participate a bit in the debate on interim supply estimates. I would like to direct the attention of the Treasurer and the government to issues which go beyond the need for money between here and the end of December. Instead, I would have them look at conditions that help to create the kind of economic problems we have right now.

I want to begin by congratulating the Treasurer on his appointment. I know that despite his political label he is an able politician and I suppose one lives in hope that somehow something better might come from that side. Personally, I have respect for the Treasurer.

The remarks I am about to address relate to things I think could be very useful in the way this province operates. They relate to things that could be done by the Legislature and possibly by the government in trying to give some direction to where we are going. They are aimed at giving some sense of value, some sense of making choices about the kind of future we have in the province. We should not simply be wafted along or pushed around by the currents, ebbs, flows and eddies of international financial pressures, by what is happening nationally or in the United States or around the world.

There is no question we have a lot of short-

term problems. In my riding, there are people living in school rooms because they cannot get accommodation and are in emergency shelter. We have tremendous problems with jobs. Somebody in my riding came to see me yesterday who had applied, along with 140 other people, for 10 jobs with the school board. Only 20 people were considered for the job, all qualified teachers, and the pay was about \$12,000 or \$13,000 a year. We are also having cutbacks in day care and social services and so on. I do not want to talk at length about those, however.

I will welcome the innovation of the Treasurer in introducing budget papers and carrying out the process of open consultation with interested parties in the community and the province over the months before his spring budget. However, I think there is a need for the Legislature to be involved in that process as well. The Legislature should be involved through the formation of a committee on economic affairs, or it could be involved by having referred to members of all three parties a lot of the material the Treasurer plans to go through or to publish or to have consultations on. The legislators too should look at some of those emerging issues.

9:50 p.m.

The Treasurer plans to go through or to publish the consultations he will have in a way that the legislators, members of all three parties, would in fact look at some of those emerging issues as well. I do not think it is good enough to leave a situation where the Legislature is purely reactive or where, let us face it, we get fairly political when we talk on the budget debate or when we are going to talk about the specific measures which the Treasurer plans to introduce.

We have not got the mechanism around this place for focusing on longer-term issues about where we are going, about what kind of goals we have to have. I often think the government itself too seldom thinks about those kinds of questions.

If we are not going to see a situation, whether it is in St. Andrew-St. Patrick or Ottawa Centre or Hamilton West or other ridings across the province, where we will have more cutbacks, more problems with jobs, more youth unemployed, more people forced to go into inadequate housing or having no housing at all, if we want to avoid that, if we want to avoid the situation of rising structural unemployment, of the hopelessness and despair that people are feeling because they cannot get themselves out of unemployment and for which there seems to be no escape, then we've got to do things that are more fundamental in this province than just

bringing in a program to provide some thousands of jobs for young people. I welcomed the Liberal initiatives the other day, but we have to do more than that.

We have to do more than stepping up the winter works program that the Treasurer has for this year. We have a fiscal problem in this province. It is faced by other jurisdictions as well. It is possible that we have tried to bite off more than we could chew, but there are certainly problems and disparities in terms of the inequalities with which sacrifices are being imposed on different people in this society and certainly there is tremendous conflict in this society as people try to look after their own interests and sometimes, or too often, they look after their own interests at the expense of other members in the community.

Too often as well there are certain groups in the society—I suppose the Treasurer knows this but he might not like to acknowledge it—who have got too much of the resources, be they political or economic resources, that we have in our society at the expense of other people who, quite frankly, have got too little.

I want to make a specific proposal to the Treasurer. I think he would be wrong, in trying to set himself aside from his predecessors, if he were to consult like crazy with the public in general, but then, quite deliberately, seek to leave the Legislature out of it. That has been done in the past and it was wrong in the past. If the minister is taking an innovative position now in terms of trying to open the budgetary process, then for goodness sake he should be opening the budgetary process within this Legislature as well.

I cannot guarantee that from the very beginning the response of all of the parties, if there was to be such consideration of long-term as well as short-term problems by a legislative committee for example, with some research support and those kinds of things that are needed, I cannot guarantee that it would be entirely apolitical or unpolitical, nor would it be wise if it were purely apolitical.

What I do believe could happen, though, particularly if this was followed over time, is that expertise in this Legislature would develop in terms of economic management, in terms of the economic process, in terms of the implications those choices have on the lives of different people, of different occupations, of different classes and different regions of the province. The choices we have to make over the coming years are, in fact, much more difficult than the

choices that were having to be made by Ontario over the 1960s or the early 1970s when I first came into the Legislature.

I am not even sure if I really intended to speak tonight, but I was provoked to doing so because of the fact that I have been trying to give my mind to some of the longer term questions that are important to our province and our country. I have spoken at times in the Legislature about such things as the impact of technological changes and what we should try to do to respond to them, and have found increasingly, as I looked at a specific issue like that, that the answers that have come out are not specific.

It is not a matter of a five-point program to respond to a particular phenomenon. It is much more a matter of the process by which government works, the process by which our economic system works, the ways in which the economic and the political systems interact, the problems of reconciling a society based on political equality, a democratic society, with a society which is rife with very substantial economic inequalities and where all of the democracy in the world has not done a heck of a lot in terms of reducing that level of inequality between the richest and poorest members of our society, or between our society as a whole and the poor societies of the Third World over the course of the past 30 or 40 years.

I was provoked as well to intervene because I have had the opportunity to look through the terms of reference and the discussion guide which has been prepared by the Royal Commission on Economic Union and Development Prospects for Canada, the Macdonald commission. It has been on my desk for several months. I was encouraged to read this because I knew of the political missteps which were involved in the creation of that commission. The manner in which it was formed effectively put paid to Donald Macdonald's chances of ever becoming the Prime Minister of Canada. He is now seen as the \$800-a-day man; all of that kind of stuff.

I read what is here and there are an awful lot of questions which are being raised by that royal commission which are as important for the next generation in Canada as the work of the Gordon commission on Canada's economic prospects back in the 1950s. The questions being raised here are questions which we should be dealing with in this Legislature, in addition to leaving them to be looked at by a royal commission.

The royal commission is seeking answers to ways in which we can respond to a very difficult future environment for Canada and for the

world, an environment which is more uncertain and turbulent than any we have known, and asking the question about how to make Canada, not just our economy but also our society, more flexible and adaptable to the kinds of changing conditions we face in the future.

They ask a whole lot of questions about what kind of change is occurring, how to respond to it, whether governments alone should have to respond or whether the response should be coming in the private sector as well, the way in which decisions are made both in the private sector and in government, how to cope with the problem of large units of organization, whether they be crown corporations—

Interjections.

Mr. Cassidy: It is interesting that the Liberals seek to trivialize every debate around this place. It is particularly interesting because I happen to be speaking favourably about something that was created by their federal colleagues, something we rarely do in this House.

Mr. Foulds: They do not want to be associated with them.

Mr. Cassidy: That is right.

The question is about how our economic and political systems interact. Whatever some of the right-wingers and the Tory back-benchers may dream of, whatever gets them off when they go to their beds at night, the fact is the government is going to continue to have a substantial role in the economy and yet at the same time the government may be overloaded in some of the decisions it has to make.

There may be a call to find better ways for government to intervene or finding ways by which government can restructure the process by which decisions are made in the private sector to curb concentrations of economic power, concentrations of economic inequality and to ensure that things are done better in the nongovernment sector without perhaps the necessity for government to constantly be involved and constantly intervene.

These are very serious questions. They are questions which are as challenging to us within the New Democratic Party as they are to the government. I suggest they are probably beyond the reach and capacity of the present caucus of the Liberal Party of Ontario.

The question is, are we facing fundamental change and, if so, how do we respond to it? The question is, what are we going to do about developing human resources if we decide, as I think we must, that our human resources are the

greatest source of comparative advantage for Canada in the world economy and the world society 15, 25 or 35 years from now? The question is, how then do we change our schemes for training and education? Certainly not in the way the Minister of Education (Miss Stephenson) seems to have in mind for the high school and college students of this country.

10 p.m.

There is the question of how we cope with the many more people who will be retired at the turn of the century than there are now. When do we begin to put into place the elements of a pension system that will enable people to provide more adequately for their own needs, rather than having to rely on the limited resources of government in 15 or 20 years' time? All of these questions, I say to the former leader of the Liberal Party, are questions we duck or hit at glancingly as politicians.

The royal commission's pamphlet begins with a quote from Ralf Dahrendorf, a former director of the London School of Economics and a savant greatly respected in Europe and North America. He says, "Someone has to look beyond the rim of the saucer in which most politicians are huddled together and tell them what happens beyond their local or even national constituency, their term of elected office, their necessarily and at times unnecessarily restricted horizon."

It is true we have to worry about the stop light I cannot get on Highway 16 in my riding because of the government, and other issues like that which are well within the rim of the saucer. We also need to concern ourselves about and provide leadership in this Legislature on some of the longer-term issues that will be of importance for my kids and our children's children and which will determine whether we will be able to respond to the need for day care in Wingham, housing in Ottawa Centre, and care for people with Alzheimer's disease among our elderly in all parts of the province 10 or 15 years from now.

If we do not look at those fundamental questions, if we do not start talking about what our values and goals are going to be and how we are going to set about meeting them, then we are going to continue to be a place that is increasingly trivial, irrelevant, inconsequential, if not totally ignored by the people, the media and everybody else in the province.

I do not want to go on here. I am personally concerned about the way in which economic decision-making is done. We can make some constructive changes to that. What the royal

commission is talking about is the way we plan for the future of our country, and that would presumably apply to Ontario as well.

Planning is not a dirty word when one talks to Inco, General Motors, Alcan or any of the other major corporations of our country. They may not always do it well. They sometimes make tremendous mistakes that have terrible impacts on communities or people's lives, but they certainly do not ignore the need to plan. They plan financially in terms of human resources, their future activity and their survival as entities, as organizations.

Strategic planning takes place now in most of the departments of the government of Ontario. But when it comes to talking about what kind of society, economy or province we will have, then the myth we are filled with by Progressive Conservatives and too often by Liberals has been that this kind of planning is wrong. It is some kind of desperate socialism. It is something one will find in the Soviet Union but certainly not in a decent democratic society.

The Treasurer (Mr. Grossman) has travelled as Minister of Industry and Tourism on trade missions. He is an intelligent man and he knows perfectly well that this country and this province has, next to the Americans, a lower level of planning for the future of our society in setting goals and working out strategies and means of reaching those goals than any other democratic country I can think of. When one talks about western Europe there is a much more highly developed sense of trying to plan for the future and, once having set goals and objectives, of trying to put institutions and strategies in place to try to reach those goals and objectives.

We blind ourselves if it is said—and it is argued by people on the government side—that somehow what we need to have is less government and the private sector will then take the place of government and will meet the people's needs. We have had seven or eight years of that since the monetarists began to reign in Washington and Ottawa. The impact of giving that free sway to the private sector is very evident in crushingly high levels of unemployment, in unacceptably and intolerably high levels of unemployment among our young people with the prospect that it is going to go higher rather than lower, and in the unplanned and devastating consequences of the rapid spread of technological change through many industries, service industries as well as manufacturing.

All these things have occurred because of, or as a partial consequence of, the abdication by

government, in this province and nationally, to the private sector of the power to plan. That has to come to an end. We cannot tolerate the social distress it is going to create. If I can speak in terms that may be of more meaning to some of the Treasurer's colleagues, I do not think we can tolerate the social disorder which eventually will result as a consequence of that kind of thing.

I think back to 1971 and the 1960s which for many of us seemed awfully stable despite the conflagration that occurred at that time in Vietnam. That was seen as being somewhat isolated. With hindsight, and as some of us thought at that time, it was wrong for the Americans to be in Vietnam, but none the less through much of the world there was a sort of pax Americana, a neocolonialist regime that governed the world. Many parts of the world were relatively stable and secure.

In 1971 the Americans went off the gold standard, let the dollar float and began to create the present time of currency, interest rate and economic instability. That has been followed by social, political and international instability. When we look around us now at Central America, Grenada, Nicaragua and Lebanon, at the continuing and devastating war between Iran and Iraq, at all those kinds of things, it does not take any great intelligence to recognize that we did not have conflagrations and conflicts of that order a few years ago.

If one did a graph of the seriousness of what is occurring, it would indicate the pace of increase in disorder, social tension and misery is on the increase around the world and has been doing so steadily for the last 10 or 15 years. Perhaps it will start to cool out; I do not know. We have to plan for the things that could possibly occur. That is why we have to find ways in which we can be flexible and adaptable. That is why we, as Canadians, have to find ways we can help the rest of the world, but also so that we can respond, if need be, to situations of desperate chaos when it is going to be each country for itself. I hope that does not occur, but we have to have some idea of how we might survive and respond to that as well.

A lot of situations are facing us which involve a great deal more capacity jointly to determine goals, to find ways of getting there, to build consensus in reaching them, to help to create trust in society rather than conflict, to help to overcome some of the divisions in society at a time when I am afraid the walls tend to be rising rather than falling and the divisions, tensions

and so on tend to be on the increase rather than diminishing.

I think that if we were to start to do that, it might enable us to question more lucidly and effectively the wisdom of some of the courses of action being taken by the government, and possibly in a constructive way to help the government as long as it is in power to steer this province on to a more placid and perhaps more productive path.

In its formal terms of reference, the commission is asked specifically to look at the appropriate arrangements "to promote the liberty and wellbeing of individual Canadians and the maintenance of a strong and competitive economy, including consideration of the following: means for improving relations between government, business, labour and other groups in Canadian society."

I remember the classic cry at English town hall meetings, "What about the workers?" The fact is the workers have been victims of actions by both the federal and provincial governments over the course of the last couple of years, actions which certainly are not directed towards the creation of the kind of harmony, co-operation and joint working together which I believe is going to be needed.

10:10 p.m.

If, as a society, we are going to have to stress productivity, competitiveness, control of our costs in a tough, competitive, international world, if we are going to have to stress the development of our human resources, we are going to have to use every human resource we have. We will not do that if there is constant conflict between labour and management and constant agreement with the doctrine that management rights mean that management with limited capacity is to decide and workers are simply to be told how they are going to be directed. That exists in its extreme state in countries such as the Soviet Union; it should not exist here. We have a well-educated labour force, people who are capable of making a great contribution to our society and not just by manning machines or bashing at typewriters for eight hours a day.

Technological change empowers; it gives opportunity for workers to have more input, to make more of a contribution and perhaps to take up more benefits either in the form of income or leisure. We should be looking for those kinds of productive tradeoffs where perhaps management shares some of its responsibilities and gives up some of its rights and, in

return for joining in a co-operative way, labour takes on some of the responsibilities and some of the cares and concerns that are now taken on purely by governments and by management.

I want to conclude by reiterating what I had said at the beginning. This kind of debate that I have engaged in for 25 minutes tonight is the kind of discussion—

Mr. Piché: He is not saying anything.

Mr. Nixon: Piché has had a big day.

Mr. Piché: A very big day, very important to the Legislature of Ontario.

Mr. Nixon: Too bad you couldn't find your way in here.

Mr. Piché: You be nice and I'll be nice.

The Acting Speaker (Mr. Mitchell): Order.

Mr. Cassidy: I am sorry that the backbenchers—the new Tories—are not particularly interested in this because it is the future of the province that they hope to direct which is at stake.

This is the kind of discussion and debate which I believe should be taking place on a regular basis in this chamber or in committees of the Legislature or in other ways in which we can be involved, all of us, and I speak to all of the honourable members in this House, even the Liberals.

Mr. Boudria: Oh, come on now.

Mr. Cassidy: I take that back. I speak to all members of the House. I am really quite serious about this.

Probably the most productive thing the minister could do is, first, to acknowledge that the concerns are serious. We can no longer govern the province by having a budget a year which talks about one year ahead. The Treasurer must be thinking five or 10 years ahead and the ministries must be thinking that. The private sector organizations and corporations in this province are certainly thinking that—

Mr. Foulds: But not as Treasurer.

Mr. Cassidy: In his role as Treasurer, I mean.

I suggest to the Treasurer that it is about time that some leadership in that area was offered and was taken up by all members in this Legislature. I suggest that one of the ways of doing that is to create a legislative economic committee or provide a reference of the things that he intends to open up in his budgetary process and make that a process in which all of us are involved and in which we begin a process for providing leadership.

It will not work ideally in the first year, but if

the Treasurer keeps it up he might help to raise this place from the irrelevance to which it too often descends.

Hon. Mr. Grossman: Mr. Speaker—

Mr. Boudria: Talk to us about leadership.

Hon. Mr. Grossman: Two out of 125 isn't bad.

Mr. Foulds: It's more than he usually gets.

Hon. Mr. Grossman: That is true.

Mr. Nixon: Let it be noted that it was Phil Gillies who applauded.

Hon. Mr. Grossman: It has been noted. Trust me.

I want to thank the honourable members for their contribution to this debate. Of course, I especially note those few who were kind enough to take the opportunity to welcome me to this new portfolio and my new responsibilities and to wish me well in those endeavours.

Indeed, I should also say to the continuing Treasury critic in the Liberal party, the member for Rainy River (Mr. T. P. Reid), and the new NDP Treasury critic, the member for Port Arthur (Mr. Foulds), that I too wish them well in their endeavours.

Those who have worked with me before in this assembly will know I do try to listen carefully to the comments from across the floor. I have not hesitated to consider carefully any good ideas raised therein and not only to adopt any ideas that were worth while adopting, but to give appropriate credit therefor over the last several years. I hope to continue that in this portfolio.

As I sat and listened to economic debates in this House for the eight years I have been here, I have heard very many good ideas in the economic area. I would associate myself with some of the remarks, although not all, of the member for Ottawa Centre (Mr. Cassidy) when he talked about the need to introduce some degree of participation into the economic planning and budget-making process, not only from the public at large but from this assembly as well.

In this my first year of budget-making, I should like to assure the members of the House that I see that budget not only as a financial and fiscal document, but also as a document which will have as its main thrust an economic focus. I believe a budget should be an economic and social document to some extent. The budget process, which will be opened with our fall economics statement in a few weeks, should be treated as a statement which invites economic and social commentary and ideas in those areas.

As we get into the first year of that exercise

and learn together how best to work the system, it obviously will not be as fully developed as it will be in later years. I would appreciate comments from the members of this assembly on how we might better develop that process as we go through it for the first time.

I have thought of several options which we might look at in terms of giving members of this assembly an opportunity to participate in that process in a direct way. Nothing, of course, inhibits the members of this assembly from offering any comments or advice they might have based upon the economic statement or any subsequent documents or anything at any time. I would hope they would do that. None the less, I think there is something to be said for looking, at least in the first year, at some sort of system whereby we might invite some of that input in a more formal and organized fashion.

I accept the fact that invariably it would be partisan to some extent. I would hope, at least in this particularly difficult economic era, we could keep that to a minimum and see what we could do to help the hundreds of thousands of people—indeed, 400,000 people—who sadly are still unemployed in this province.

In view of the remarks of the member for Ottawa Centre, I would like to put on the record the fact that since I have taken this responsibility my colleagues on all sides of the House, most especially the members on my side of the House, members in the first, second and third rows on this side of the House have spoken to me at some length about the problems of the unemployed, the people in their own ridings and the people they see in their constituency offices on a regular basis.

We have talked at great length about some of the things we might propose, and some of the ideas I have already received from my colleagues on this side of the House are being considered in Treasury right now. The member for Oxford (Mr. Treleaven) spoke to me several months ago with regard to opening up the budget process. It was something he felt deeply about. Partly as a result of those excellent suggestions, we have developed this new format.

Might I say that I have listened fairly extensively to the hours of debate we have had on interim supply. I have made extensive notes and hope to respond to them, not just with remarks this evening or other evenings, but with policy initiatives which are appropriate to those remarks which I think are particularly relevant.

It is quite clear that all members share the same basic concerns. We all have far too many

unemployed constituents. We all agree that one of the major jobs of government through this period of time is to work to solve those unemployment problems, to spend the resources necessary to solve those problems while, at the same time, not crippling ourselves in terms of our ability to sustain those who still will be unemployed during that period of time.

It is not an easy task for us. It has proven to be an almost impossible task for most governments in Canada and for many governments in the United States. The American government is struggling under a deficit, structural and cyclical, which is far worse than ours. That deficit is presenting one of the major problems in terms of an economic recovery in both the United States and Canada. None the less, we have to struggle with that problem.

I do not intend to use external forces as a total crutch or as a total excuse. Unquestionably, it is a limiting factor. It will make it more difficult, rather than easier, for us to recover. None the less, we have to do what we can, within the bounds of our powers and jurisdictions, to solve these problems.

10:20 p.m.

In doing that, I would like to reflect on some of the comments I have heard. The member for Port Arthur (Mr. Foulds) in particular talked about sunrise and sunset industries and about his dislike and distaste for those who would categorize firms in that way. I must say on this side of the House, we have never been inclined to write off entire industries as lost industries or to suggest that other industries are the only ones we should put our policy thrusts behind. Quite the reverse.

I think any analysis of the history of industry, North American at the very least, would indicate that in what have come to be known as winning industries, we have lots of losing firms. In lots of losing industries, we will also have winning firms. The trick is to have policies that are flexible enough to meet both of those needs and not to pigeon-hole one's programs so one is looking at a particularly strong firm in a particularly weak industry and say there is no tax policy, no direct support available, no loan or grant programs available, and no export policies available to assist a company in that sort of circumstance.

Mr. Foulds: There is just a touch of Bill Davis about that statement.

Hon. Mr. Grossman: Would the member

disagree with what I just said, though? No, he would not.

Mr. Foulds: I don't know what you've just said; that's why.

Hon. Mr. Grossman: The member should read Hansard. He will find it.

As I listen to the remarks and try to synthesize the common thread that went through all the remarks, there does seem to be a serious dedication to the concept that the moneys we spend during this period of time and in better periods of time should be pointed towards those employment programs that speak to the longer term. Members of all three parties have spoken to that this evening and at other times. We really could not agree more.

There is of course a particular motivation for us, faced with the extreme unemployment and tragedy we see out there, to devote our resources to put some people back to work tomorrow morning, notwithstanding the fact that most of the programs one might mount for tomorrow morning would end six months from today for a variety of reasons. However, what we really have to do is deal with those most in need in this period and begin to get everyone we can retrained and re-equipped so they not only can be part of an economic recovery but also cause part of that economic recovery.

This does require long-term investments. It requires investments that will not turn up in terms of added revenues for the government or lower unemployment figures 30 days from today; they certainly will not. However, what we hope to do is to be able to make those kinds of investments now so that those unemployment figures will continue to decline, as they have for the past several months, through the next few years.

Our goal has to be not sensational but erratic growth, but long, slow, sure and steady growth. That would be the safer course for us. However, it will require some political will, because the inclination is always going to be to respond with the quick fix, as everyone in this assembly who faces those unemployment cases on a daily basis would agree. The quick fix is too cosmetic and often it is only cosmetic. However, there is an inclination to do that; there always is, for all the right reasons. However, that will not be the right answer.

As we look towards next year's budget, I have a couple of comments. I hope that budget will sow the seeds of long-term planning, long-term strategy. I hope it will set a stage for recovery that will be long-lasting. I hope that expecta-

tions with regard to quick fixes will have dissipated by that time.

I also hope that we can move towards a scenario where a single day every year for adjusting or readjusting government fiscal and economic policies is not the order of the day. I think our economy these days is too unpredictable, subject to too many variables out there, to be able to sit back and say, "There is only one day a year upon which we think we ought to have another look at it and readjust where we are going."

I think that, if appropriate, we in government have to be prepared and willing to make adjustments—not moving away from the main thrusts, not moving away from the main things—to make adjustments in the fine-tuning area as the need requires it. That may mean modest adjustments several times a year. It may mean not introducing everything one might think is going to be needed in the next 12 months in the budget statement but, rather, holding some of them back as one gets a better look and a better feel for what the economic circumstances are going to be on down the year. That will give us some more flexibility and introduce some more sensitivity into the government programs and the hundreds of millions of dollars that we do devote every year to job creation in this province.

As I close this budget debate, let me say that I was in Sudbury last evening and I had the opportunity to spend a couple of hours at the Ontario Centre for Resource Machinery. It is one of those projects that we invested in because it was a long-term investment; one can never be sure one in this area, but we thought it might produce new, secure long-term jobs in northern Ontario in the resource machinery sector. I spent some time with the people in the centre. When we set it up in the BILD program a year and a half or two years ago, it was not at all certain—and it never is in these kinds of endeavours—that it would work. Yet I must say I was extremely encouraged to see what was happening there.

There are jobs going to be created this coming year, jobs that simply would never have been there without the entrepreneurial skill and investment of the government, the entrepreneurial skill of the people working in the resource machinery centre and the entrepreneurial skill of the people in northern Ontario who were willing to work with the centre to try some new products and finally to try to get us on the map in terms of resource machinery.

One does not know what the future will hold

for that centre. I must say that at this stage I am quite encouraged by it. That, to me, is the kind of long-term investment we have to look at more and more and involve more sectors of our economy, bringing together—as is the case there—public and private sectors to do what we can to introduce a new device out there, a new program out there, a new synergy out there, which results in more jobs and more investment. And those jobs are long-term, secure jobs.

There will be lots of projects mounted by that centre. Not all of them will work, because the very nature of the exercise is going to be high-risk, but they will bring high returns when they win. I am convinced, having met with the people and looked at their case load and the people who are coming to the centre, that we will have some winners out of that exercise.

I have listened carefully to the debate this evening and on the previous days. I hear the common threads running throughout those remarks. I commit myself and pledge ourselves to deal in all the areas discussed, employment first and foremost. We have heard too of the need for reconfirming and sticking with our commitment to areas such as culture, which the member for Hamilton West (Mr. Allen) spoke of earlier.

Of course, I listened carefully to the comments made by both the member for Brant-Oxford-Norfolk (Mr. Nixon) and the member for Huron-Bruce (Mr. Elston) as they spoke in terms of the great needs of the agricultural sector. Having spent many hours in many meetings already with my colleague the Minister of Agriculture and Food, I can assure members that we are struggling with these difficult problems right now. Indeed, I will be spending all day tomorrow in the farm community trying to deal firsthand with some of the real problems. On the advice of my colleague, we will be firming up some of these programs and finding ways to meet the very real needs of the farm community over the next period of months.

Motion agreed to.

10:30 p.m.

The Acting Speaker (Mr. Cousens): Pursuant to standing order 28, the motion that this House do now adjourn is deemed to have been made.

NIAGARA REGIONAL POLICE

The Acting Speaker: The member for Welland-Thorold (Mr. Swart) has given notice of his dissatisfaction with the answer to his question given by the Solicitor General (Mr. G. W.

Taylor) concerning an investigation into the Niagara Regional Police. This matter will now be debated.

Mr. Swart: Mr. Speaker, the Solicitor General informed me this afternoon that he would not be here. He gave no reason, such as that he did not have time or anything of that nature. I can come to no other conclusion than that he does not think the issue is important enough to warrant his time, or that he has no answers or does not want to answer.

I asked for this special debate because I was dissatisfied with the Solicitor General's reply to my question about broadening the investigation of Niagara Regional Police into an inquiry of the force whereby anyone who has complaints against the force at every level would have the opportunity to give evidence.

Let there be no doubt that the investigation announced by the Solicitor General is very confined. In his first paragraph, he said: "A joint investigation and review by the Ontario Police Commission and the Ontario Provincial Police that was set up earlier to look into the allegations by Mark DeMarco against the Niagara Regional Police will also review allegations made last week by Welland lawyer Peter Kormos, who said a number of his clients were beaten by police."

There is no room in that statement or anything further in that statement that can be enlarged. His investigation would exclude, for instance, even hearing evidence from Laurianne Robert, whose case I mentioned in this House on Monday, a woman who has tried for more than two years to get a hearing about being roughed up by the police.

It would also exclude looking into the issue I raised today about the circumstances surrounding the appointment of the new chief: why there was no advertising and why he was appointed while he was under investigation for breaking the Criminal Code. There will be no looking into the alleged harassment of youths and there will be no looking into the lengthy list of allegations made by the Canadian Broadcasting Corp. and the St. Catharines Standard.

Anyone who has been following the news reports in the Niagara region for the past several years knows there is great reason for lack of confidence in the police force, especially at the top. Issues include the relationship of numerous members of the force, including the new chief, with Mr. Mark DeMarco; the guns and the

uniforms and shirts that were found in his possession, and his charges that they had been sold to him by the police; the Laurianne Robert affair, and the purchase of the luxurious automobile by the chief and his reaction to criticism, which I also mentioned.

There is the city of Thorold's resolution, which I would like to read into the record. It was made after the chief had stormed out of a meeting to which they had invited him and the commission to discuss the issue of complaints against the police. He stormed out of the meeting, spun the wheels on his car away down the road and members of the council sat there in absolute disbelief. Ultimately, they passed this resolution:

"That this council no longer relay its complaints re policing to the local chief of police, but send a letter to the office of the Attorney General of the province stating our complete lack of confidence in the local police force and the protection we are receiving; and that consideration be given to establishing our own police department."

That is the kind of feeling that exists towards the police force and particularly towards the chief in our area.

We know about the numerous incidents of bargaining on charges, where police will drop charges if the victim will drop charges against the police. Numerous cases have been brought to me of complaints about conduct and arrogance right at the top; the recent alleged brutality charges. All this adds up to any reasonable person wanting an investigation that will clear the air completely, not one that looks at only one or two of the areas of complaints.

If there are problems at the top, they tend to filter down. To request this investigation, as I have done, is not police-bashing. I have made no allegations of brutality. I have simply said that there is sufficient evidence and sufficient allegations have been made by individuals and organizations as responsible as the St. Catharines Standard and the CBC to warrant an investigation.

Any limited investigation that does not look at all the allegations, particularly those against the top administration, will leave a cloud that will affect the future effectiveness of the force and leave a cloud over the able, dedicated police officers who make up the majority of that force.

The House adjourned at 10:36 p.m.

CONTENTS

Thursday, October 27, 1983

Government motion

Interim supply, resolution 13, Mr. Wells, Ms. Bryden, Mr. Mancini, Mr. Allen, Mr. Elston, Mr. Cassidy, Mr. Grossman, agreed to.	2521
---	------

Adjournment debate

Niagara Regional Police, Mr. Swart.	2542
---	------

Other business

Adjournment.	2543
----------------------	------

SPEAKERS IN THIS ISSUE

- Allen, R. (Hamilton West NDP)
- Boudria, D. (Prescott-Russell L)
- Bryden, M. H. (Beaches-Woodbine NDP)
- Cassidy, M. (Ottawa Centre NDP)
- Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
- Eaton, Hon. R. G., Minister without Portfolio (Middlesex PC)
- Elston, M. J. (Huron-Bruce L)
- Foulds, J. F. (Port Arthur NDP)
- Grossman, Hon. L. S., Treasurer and Minister of Economics (St. Andrew-St. Patrick PC)
- Mancini, R. (Essex South L)
- Mitchell, R. C., Acting Speaker (Carleton PC)
- Nixon, R. F. (Brant-Oxford-Norfolk L)
- Piché, R. L. (Cochrane North PC)
- Swart, M. L. (Welland-Thorold NDP)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament
Friday, October 28, 1983

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Friday, October 28, 1983

The House met at 10 a.m.
Prayers.

WITHDRAWAL OF BILL

Mr. Kennedy: Mr. Speaker, I rise on a point of order. It was pointed out to me that the bill I introduced yesterday was out of order as being a money bill, which cannot be proposed by a private member or without a message from the Honourable the Lieutenant Governor. I therefore wish to withdraw the bill. I have filed with the Clerk a resolution asking the House to call upon the government to take this action; that is, that the maximum awards under the Compensation for Victims of Crime Act be doubled as they have not been changed since the legislation was passed 12 years ago.

ORAL QUESTIONS

CONTRACT TENDERS

Mr. Peterson: Mr. Speaker, I will ask a question of the Premier if I may. A week ago, the Premier will recall, we had a discussion in this House about some of the contracts from the Ministry of Industry and Trade. Last week, it was reported that Mr. Horswill, the assistant deputy minister, said that ideally those contracts should have been tendered.

In today's press, the Premier no doubt will be aware that there is some discussion in the ministry now about whether those contracts were in "the normal form," according to the current Minister of Industry and Trade (Mr. F. S. Miller). He goes on to say that releasing those contracts, letters of intent, or whatever they are, will require cabinet approval.

Last week we asked the Premier to look into this matter. Will he table those contracts? If he will not, why not?

Hon. Mr. Davis: Mr. Speaker, I stand to be corrected, but I think I am right—in fact, I am almost sure; I am never 100 per cent sure—but my recollection is that there was a question to the Chairman of Management Board (Mr. McCague), and he undertook to review this and said he would report back to the House. That is my recollection, and I think it is fairly accurate. The Chairman of Management Board is away

this week, and I expect he will be doing it some time next week.

Mr. Peterson: I refer the Premier to Hansard when he responded thus to the question to table the contracts: "I will not give any such undertaking. I will certainly look into it. I really do not anticipate there are very many." He then said he would look into it. It has now been a week. The rationale—

Hon. Mr. Davis: On a point of order, Mr. Speaker: The Leader of the Opposition (Mr. Peterson) should read all of Hansard. One of the members opposite posed a subsequent question related to those contracts to the Chairman of Management Board, where this responsibility lies. If the member would only try to remember what goes on in this place, it was subsequent to that where the Chairman of Management Board made it clear that he would do this.

Mr. Peterson: The Premier also made a promise to this House. If his promise is the same as the Premier's, that is fair enough.

Mr. Speaker: Question, please.

Mr. Peterson: The Premier rationalized the whole matter last week, saying the question was "value for money," and he referred to section 50 of the Ontario Manual of Administration. No doubt he is aware that document suggests that any contract has to set out the mutual responsibility of both the contractor and the contractee. I am referring specifically to the Martyn contracts. What are the mutual responsibilities under these contracts, which generated \$153,000 worth of public expenditures?

Hon. Mr. Davis: I am not in a position to answer that question. I replied to the question when it was initially raised with my views. There was a subsequent question. I am not sure whether it was from the Leader of the Opposition. As a matter of fact, but I am not sure of this, I think it was the member for Port Arthur (Mr. Foulds) who was quoting the Manual of Administration. I think he directed his question, which I thought put this issue in perspective, to the Chairman of Management Board, who undertook to take a look at them and see whether they complied with the Manual of Administration or whether the Manual of Admin-

istration had application to these contracts.

Mr. Foulds: Mr. Speaker, can the Premier inform us whether these two specific agreements, whatever they are called, received cabinet approval, at what time they received cabinet approval and under what conditions they received cabinet approval?

Hon. Mr. Davis: Mr. Speaker, matters of this nature do not come to cabinet as a matter of course. They do not come to cabinet at all.

Mr. Peterson: Just so I am clear today: The Premier is saying the Chairman of Management Board will report back to this House, having investigated the matter. Is he going to instruct him to table those contracts, those letters of intent or whatever they are, and make them public so that there can be an independent look at the stewardship of the taxpayers' money?

Hon. Mr. Davis: I think we would all be fooling one another if we believed the Leader of the Opposition was suggesting "an independent look." There is no question how objective he would be in any analysis of anything this government does; his objectivity in that field is, with respect, somewhat suspect. I understand that, but I say to him to please not try to con me into thinking he is objective about any of these issues.

Mr. Peterson: Just as long as the Premier does not try to con people into thinking he is objective when he is the one who is trying to suppress the contracts, not me.

Mr. Speaker: Question, please.

Mr. Peterson: Mr. Speaker, I have another important question for the Minister of Energy. Perhaps you could advise me whether he is going to be coming into the House. If not, I will address it to the Premier. I will stand it down if he is coming.

Hon. Mr. Davis: For such an important question, my advice is that of course he is coming. I do not have the foggiest idea, but I will find out. I think he is supposed to be coming.

Mr. Peterson: If I may, I will stand down my question, Mr. Speaker. Thank you.

10:10 a.m.

SOCIAL ASSISTANCE REVIEW BOARD

Mr. R. F. Johnston: Mr. Speaker, my question is for the acting Minister of Community and Social Services, the Provincial Secretary for Social Development. It is about the Social Assistance Review Board, that refuge for weary Tory campaigners.

Is the minister aware that board has been breaking its own regulation which stipulates that all decisions made by the Social Assistance Review Board will be made within 61 days of the date of hearing? In response to a written question I asked, we have learned that 70 per cent of the cases being heard by this quasi-judicial body are exceeding its own regulation limit. In fact, 800 people in the past year have had to wait more than 91 days to receive some word as to whether they would get their appeals approved through the Social Assistance Review Board.

Given that these are people who are waiting to get disability pensions and family benefits, does the minister not think this board needs a good raking over in terms of serving the needs of these people and should not be allowed to break its own regulations?

Hon. Mr. McCaffrey: Mr. Speaker, the honourable member is as knowledgeable about the issue as anybody in the assembly. He knows full well that the minister, the member for Scarborough Centre (Mr. Drea), met in the spring, I think it was, with the study group looking at the Social Assistance Review Board. At that point, he made his views clear. I have no reason to think they have changed. Following that meeting, which I think was in the spring or summer, a fairly detailed press release articulating his views was made public.

Mr. R. F. Johnston: Does the minister think it is appropriate that individuals such as those who are among the 800 who have been waiting should have to go through the following situation?

A Portuguese couple who were both trying to apply for permanently unemployable benefits were denied family benefits by a local administrator because of some lack of information about property in Portugal. They had their hearing on December 8, 1982, and on April 5, 1983, there was a decision granting benefits. That is 112 days from the hearing to the decision. They also waited another six months, to September 30, to receive a cheque.

Mr. Speaker: Question, please.

Mr. R. F. Johnston: Is that acceptable in the minister's view? Does it not say that this board is out of control and is not protecting the people who need it most? Instead of it being a last hope for people, it is now becoming a last straw.

Hon. Mr. McCaffrey: I have two responses. The member knows this is a nonministry group made up of lawyers and social agency personnel. I do not want to repeat the issues that were outlined in the press release I referred to. I think

it would be most appropriate if I could report back on Monday, if that is fair enough, with the detailed responses his question should be given.

Ms. Coppins: Mr. Speaker, I have a question for the provincial secretary on the same issue. In view of the fact that when it comes to the Family Benefits Act, the Ministry of Community and Social Services can be up to one year behind in assessing overpayments, and in view of the fact that people who have been assessed overpayments one year after the fact are required to pay back moneys which were given to them and which they have already spent in good faith, does the minister not think he should consider solving at least part of the Social Assistance Review Board dilemma by making sure that when decisions are rendered, those decisions also include retroactive pay to the time when the application was tendered?

Hon. Mr. McCaffrey: Mr. Speaker, while I am not an expert in the area, that seems to me to be a reasonable suggestion. I will look into it.

Mr. R. F. Johnston: It is very disruptive because the practice at the moment is that when a person wins, he or she has to go back and apply again to get that money. It goes against the present rules. I will send the minister a number of other examples of cases where people have been waiting 16 months for assistance.

Since the minister is going to review this, I want to ask him whether he would please review the role of the medical advisory board, something we have been complaining about for quite some time.

Mr. McClellan: Since 1963.

Mr. R. F. Johnston: Since 1963, the member for Bellwoods (Mr. McClellan) tells me. I would like the minister to investigate in particular the length of time it is taking for the medical advisory board just to make a decision on out-of-Toronto requests, even before it gets to the whole question of a hearing. We have examples from Ottawa and Sudbury of the medical advisory board taking four to five months and six to seven months just to make a recommendation one way or another before the whole hearing process can even take place.

Hon. Mr. McCaffrey: I would appreciate receiving the information referred to by the member, and I will report back in detail as soon as I can.

HYDRO REACTORS

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Energy. He said outside the

House yesterday that in addition to the garter springs being out of place in the new unit 6 at Bruce B, the garter springs are out of place in three of the four operating reactors at Bruce A. Can he tell me why he did not reveal this to members of the House yesterday? More important, can he tell me what he plans to do in terms of examining the garter springs in the other operating reactors?

Hon. Mr. Andrewes: Mr. Speaker, the question of the garter springs is being reviewed on a continuing basis by Ontario Hydro, which is the agency operating those reactors. The details of the garter spring migration are being monitored using some very sophisticated sonic equipment. The theory that the movement of garter springs might contribute to hydriding as a result of the tubes sagging in the operation of these reactors is under consideration on a daily basis.

If the Leader of the Opposition would like those kinds of details, I would be pleased to take the question as notice and supply those details.

Mr. Peterson: We asked about this yesterday. When the minister is delving into this matter, I would like to know how soon he plans to examine the other reactors at Bruce and Pickering, how long it will take to examine each reactor, how long they will be out of service and how much this is going to cost.

Also, in view of the fact that we understand the tooling has yet to be developed to move these garter springs, how is he going to get them back into place?

Hon. Mr. Andrewes: Mr. Speaker, I said I would take the question as notice and would be pleased to respond to the Leader of the Opposition.

Mr. Foulds: Mr. Speaker, in the absence of Milan Nastich in the House to account for Ontario Hydro, does the Minister of Energy not feel it is his serious responsibility, as the minister responsible for Hydro in reporting to the House and for policy, to make a statement to this House within the next day or two about Hydro's commitment to nuclear energy?

Does the minister not feel it is necessary to state how the government may be re-evaluating that commitment in view of the number of incidents, accidents or flaws that are coming to light so that we do not necessarily have the blind commitment that Hydro has of trying to achieve 60 per cent of its generation by nuclear power within the next 10 years?

Hon. Mr. Andrewes: Mr. Speaker, the key to that question posed by the deputy leader of the

third party is the question of policy. I am responsible for reporting on behalf of and conferring with Ontario Hydro in relation to policy. I am not responsible for the day-to-day operation of those reactors, and he knows it. That has been discussed very thoroughly at a select committee.

I will be pleased to provide the details requested in the question if, in fact, it does relate to policy. I said at the outset that I would bring the House up to date periodically as there were changes in the status at the Pickering generating station and in terms of the whole operation of the nuclear program.

Mr. Peterson: The minister has not answered my original question. I will ask it of him again. Are there or are there not, as he said yesterday outside of this House, garter springs out of place in three of the four operating reactors at Bruce A?

Hon. Mr. Andrewes: I can report basically on the status. Of the reactors that are under construction, Pickering units 7 and 8 and Bruce units 5 and 6 all show a significant percentage of springs displaced to some extent. That has been discovered in checks that are currently under way and that have been done on a random basis.

Ontario Hydro is checking the position of garter springs in reactors at Pickering B and Bruce B stations that, as I said, are in the construction stage. I cannot provide for the Leader of the Opposition (Mr. Peterson) the details in terms of the migration of garter springs in reactors that are currently under operation. Although these reactors would not have to be taken out of service, they would have to be taken off line for that information to be compiled.

10:20 a.m.

I am very concerned about the statements the Leader of the Opposition has made with respect to the whole nuclear program and this whole question of garter springs. It is alleged that he said to a reporter of the *Globe and Mail* yesterday that every nuclear reactor in the province might be a danger to the public safety.

In saying that, I think he does a great disservice to a national industry that adds substantial economic value to this country and substantial economic potential in terms of exports. Also, he does a substantial disservice to the dedicated people in Ontario Hydro and Atomic Energy of Canada Ltd., who have built these reactors, who are operating them and will continue to operate them.

Mr. Cassidy: I think you have been captured by Hydro in three months.

Hon. Mr. Andrewes: If the Leader of the Opposition and members of the third party want to preside over the demise of the nuclear industry in this nation, that is their choice.

EQUAL OPPORTUNITIES FOR WOMEN

Mr. Foulds: Mr. Speaker, I have a question for the Deputy Premier, the Minister responsible for Women's Issues and affirmative action. He will recall that the Minister of Education (Miss Stephenson) indicated on June 3: "There is no impediment at this time to the entry of women into training programs in nontraditional areas. It needs only their desire to move in that direction . . . One of the major difficulties we have to overcome is that impediment of attitude . . . However, one of our major attacks certainly has to be upon the attitudes of families to the career decisions of young women, particularly in the school system."

The minister substantially repeated that argument last week during the debate on the private member's resolution that was before us, at which time she said: "There is no doubt that one of the factors in the wage gap that has been traditionally in place has been the traditional attitudes about and expectations of women."

Would the minister responsible for affirmative action not agree that one of the ways and one of the places where we can attack those attitudes and change them around is through the equal opportunity advisers attached to community colleges? If that is the case, would he not think that is an area in which we should have full funding and year-round advisers?

Hon. Mr. Welch: Mr. Speaker, I find myself in general support of the preamble. It is too bad that the Minister of Education, in her speech in June and in her contribution to the debate on the resolution a week ago, did not have the opportunity to really say all that she had prepared to say on that occasion, because it was a very valuable contribution to all of this.

It is my understanding that there are many projects now in our community colleges which are directed to that very objective of attempting to be helpful in pursuing that approach in order to make sure that women do see their opportunities in the nontraditional occupations. Niagara College has a very active project in that regard. It is not unusual that such progressive things would emanate from that part of the province.

Mr. Foulds: Could the minister then explain why a community college such as Loyalist College of Applied Arts and Technology in Belleville, which has an equal opportunity adviser, considers it is necessary to have that adviser simply on a contract basis for 40 weeks? No preliminary or advance work can be done over the summer months to lead up to the school term, and at the end of each contract one starts from square one again.

Hon. Mr. Welch: I think it is very important and I hope I would be seen as underlining the emphasis in the preamble to the honourable member's question. There is no doubt in my mind that one of the greatest strides we can make in narrowing the wage gap is encouraging more and more women to consider career opportunities in what up to now have been considered nontraditional occupations. Indeed, we should strive for a time when we would have jobs without gender in this province, if I can put it that way.

As the Minister responsible for Women's Issues, I would want to identify myself with whatever can be done to facilitate that and would support the Minister of Colleges and Universities (Miss Stephenson) in that way. I am not able to comment on the practical situation in that community college, but I would be happy to provide whatever encouragement I can from our responsibility in that regard.

Mr. Wrye: Mr. Speaker, since the Minister responsible for Women's Issues is responsible for advising his colleagues on what can be done to enhance the goals I think we all desire, and since the comments he has made this morning are appropriate in terms of his own personal views, why does he not move to recognize the role community colleges can play in this area?

After all, the programs vary to meet changing needs. As they vary and as they open up opportunities for women to move into nontraditional jobs, surely what we need in place is an equal opportunity adviser on a 52-weeks-a-year basis, not on a contract which may change advisers at the end of one year but on a staff position basis. Why does he not go to his colleague the Minister of Colleges and Universities and suggest she fund such a program with one staff position in every community college in Ontario so that we can get on with the job?

Hon. Mr. Welch: Mr. Speaker, as the honourable member will know, the speech to which reference was made by our friend the deputy leader of the third party did provide some

resources in this regard. I think it would be unfortunate if we left the impression that there were not a number of very positive initiatives at present going on with respect to this whole area in community colleges. I mentioned Project Techtrain at Niagara College and others, all with this particular emphasis.

I should also point out the workshops which the women's directorate is organizing, starting in Thunder Bay next weekend. There will be one in Windsor and different parts of the province with this whole emphasis of career opportunities for women. In the spirit of that, the member can be assured that this minister will be supporting the Minister of Colleges and Universities in all she is doing in this regard.

Ms. Bryden: Mr. Speaker, is the Minister responsible for Women's Issues aware that the Ontario Federation of Labour and other community and women's groups are sponsoring a public forum tonight and all day tomorrow at city hall in Toronto to hear from the public on the question of the need for mandatory affirmative action to change these attitudes and to see what is needed, and also for equal pay for work of equal value?

Is the minister planning to attend this forum, or will he send an observer to the hearings to find out at first hand the experience of women with the present voluntary affirmative action program and with the present ineffective equal pay legislation?

Hon. Mr. Welch: Mr. Speaker, I am aware. In fact, I want to publicly commend the women's committee of the Ontario Federation of Labour for organizing these workshops. That is how we have to approach many social issues such as this, to get the public more involved and into situations where they can better understand the aims and objectives of these types of programs.

My colleague the Minister of Labour (Mr. Ramsay) was at the first of them, which was held in Sault Ste. Marie. I personally cannot be at the one in Toronto this weekend because I am leaving right after question period to spend today and a good part of tomorrow in Windsor, meeting with a number of women's groups in that part of the province. I will have an opportunity to follow the results of these seminars because there are other workshops in other parts of the province.

The organizers of these seminars were in to see us as part of the consultative process. They shared their plans with us. They are to be commended for organizing this opportunity for the public to understand better the whole area

of affirmative action and equity matters in so far as women's issues are concerned.

10:30 a.m.

HYDRO REACTORS

Mr. Peterson: Mr. Speaker, I have a question of the Minister of Energy. Whether the minister realizes it or not, he made a major admission in the last question that gave this House new information which he has not been prepared to share in the past.

Hon. Mr. Davis: Is that what your advisers told you?

Mr. Bradley: What do your advisers tell you?

Mr. Speaker: Order. The question, please.

Mr. Peterson: What he said was that there has been major garter springs migration in nonoperating reactors in Bruce and in Pickering as well. Obviously the serious question is, what is the state of migration of the garter springs in the operating reactor? We have asked the question several times and finally he has reluctantly come forward with what he knows. I want to know now, what does the minister know about the operating reactors at Bruce? Does he know or does he not know?

Hon. Mr. Andrewes: Mr. Speaker, I told the Leader of the Opposition that in order to make that determination, those reactors have to be pulled off line. If the Atomic Energy Control Board and Ontario Hydro feel it is necessary to make that determination, I am confident that the utility will pull those reactors off line and do just that.

Mr. Peterson: This is the same agency that turned Pickering unit 1 on and off. It has not demonstrated all that much consistency of purpose in this whole matter. The minister has to be involved in this.

When is the minister going to look into the Bruce A situation? Does he have a time frame on it? What is the extent of the seriousness of the problem? How long does he have to take them off line? When is he going to know and when is he going to report back to this House? It is a very serious matter, whether the minister understands that or not.

Hon. Mr. Andrewes: The Leader of the Opposition continues his scaremongering tactics. The question of the garter springs, as I told him quite clearly, is one of many considerations in the Pickering unit 2 problem. As those priorities are set, as those determinations come forward and as the board and the operating

utility move to collect further evidence into the problems of Pickering unit 2, I will report to the House.

Mr. Foulds: Mr. Speaker, does the Minister of Energy not consider it is his responsibility as minister to have already asked Ontario Hydro for a detailed explanation of the flaws that have occurred in the nuclear reactor system, the implications for the mix of Ontario Hydro's electrical generation and the cost implications of those flaws? Does he not also feel it is his responsibility to inform the House and the public of Ontario whether it is time to re-examine Hydro's blind commitment to nuclear energy?

Hon. Mr. Andrewes: Mr. Speaker, again the key is a question of policy. Ontario Hydro will be making those kinds of determinations. In fact, it is making them on an ongoing daily basis. The discussions in terms of the government policy related to Hydro are quite clearly set out in terms of operating agreements and memoranda of understanding. My role here is to make sure that those policies are implemented.

RENT CONTROL

Mr. McClellan: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations arising out of the research information bulletin from the Thom commission which, curiously enough, is dated November 1, 1983. I guess the only thing that is on schedule is the research bulletin.

There is a comment on the first page of this research bulletin: "The phase 1 report is currently being written. The report will be released at the earliest possible date later this year or early in the new year." That is much later than anyone had anticipated. Can the minister give the House a commitment today that the provisions of Bill 198, which set a five per cent limit on rent increases for financing costs resulting from the multiple sale of a building, will not be allowed to sunset on December 31, 1983?

Hon. Mr. Elgie: Mr. Speaker, I still have firm hopes that part 1 of the Thom commission report, or at least portions of it, will be available for this government to consider before this House adjourns for the Christmas period, and that we will be able to make determinations about what matters should be brought before the House prior to that adjournment.

I am as interested as the member to evaluate the need for continuation of Bill 198, and certainly that is an issue that is in my mind and will be before cabinet in the event there is some

delay in the forwarding of the Thom report to us.

Mr. McClellan: I did not hear a commitment there, but I did hear a concern. I am reassured about that.

I also have another memorandum which is part of the same package dealing with the different items which will be dealt with in phase 1 and phase 2. Is the minister not concerned that the Thom commission has relegated to phase 2, which is in the far distant future as far as anybody can realistically tell, the question of whether or not the exemption of units renting for \$750 a month should continue or be abolished? Is the minister not aware this is a matter of crisis proportions?

Between 1981 and 1982, in Toronto alone, more than 700 apartment units were inflated out of rent review. There are literally thousands of units on the brink of being inflated out of rent review because \$750 a month is no longer a luxury rent. It is now the basic rent for very modest accommodation, particularly in places like the city of Toronto. Will the minister instruct the Thom commission to deal with this issue as part of phase 1 and not put it off to some far distant phase 2?

Hon. Mr. Elgie: Being the concerned member he is, the member for Bellwoods would be concerned if the minister endeavoured to direct the Thom commission with respect to its priorities. I did not so direct the commission, and indeed had nothing to do with the commissioner's decision to deal with that matter in the second phase of his report. If the member has concerns, it should be with the members of his party in Manitoba who set a \$650 ceiling in that province last year.

Mr. Epp: Mr. Speaker, the minister is aware the average increase allowed last year under the rent review system was 14 per cent. Is the minister not concerned that this is excessively high, taking into consideration the fact that we had a restraint program of much less last year and the government tried to give the impression it was in support of restraint?

Hon. Mr. Elgie: Mr. Speaker, thoughtful analysis of that report would indicate to the member that those figures, reflecting as they do April 1982 to April 1983, would by and large be a reflection of the very difficult period with respect to energy costs and interest rates in the refinancing of mortgages. Certainly that has been acknowledged by members on the oppo-

site side of this House in the past and I would not think they would wish to change that view.

The important thing one should recall is that following that April 1983 figure there was also a release put out by this minister, about a month ago, which the member may not have read, indicating that during the three-month period following April 1983 average rent increases dropped to 10 per cent. Again, I have no statistical reason to suppose that downward trend will continue, but it would be in keeping with the downward trend in energy costs and interest rates. I hope the member will agree with that.

GROUP HOME ACCOMMODATION

Mr. Wrye: Mr. Speaker, my question is to the acting Minister of Community and Social Services, if I can get the Minister of Municipal Affairs and Housing (Mr. Bennett) to let him give me some attention. In his recent explanation to the House regarding the St. Lawrence Regional Centre closing, the minister did not address the relocation of three residents four times since June 30 or the fate of other former residents at risk or returning to institutions.

This issue is addressed in a report called *Moving Time*, completed by the National Institute on Mental Retardation. I would like to quote briefly from it: "In the opinion of key staff of the services unit, nine individuals who have been sent to institutions from community-living arrangements since the closure could have succeeded in the community had the crisis intervention network been fully operational. In addition to these nine, there are several others who are at risk."

Why did the minister not listen to the voices of the local associations across the province regarding the need for backup services? Will he begin to listen now with regard to future closings?

10:40 a.m.

Hon. Mr. McCaffrey: Mr. Speaker, I think I heard the whole of the question, but it was just a little bit noisy towards the end. If I may ask for clarification, does it deal with the question that some people at present in institutions are going to communities and then returning to the institutions?

Mr. Wrye: People who were in St. Lawrence Regional Centre were moved and have continued to be moved around because there were no backup services.

Hon. Mr. McCaffrey: I understand now. I do not and cannot obviously speak to the specifics

of the nine people in question, but if the member will provide me with some names and what have you, I will undertake to do that. I do know in general terms there have been instances where patients have been moved from an institution to a group home and, for a variety of reasons, it has not been successful, neither for the present inhabitants of that group home nor for the patient in question, so in some instances more than one move has taken place.

I know off the top of my head that there have been a couple of examples where such a transfer occurred and a person was returned to the institution while they looked for another more appropriate facility within the community. The fact that there are some moves is not uncommon. I cannot comment on those specific nine, but I will be happy to do so next week.

Mr. Wrye: I would remind the minister the report is called Moving Time. It should be available to him through his ministry.

The five-year plan the minister has alluded to is contingent on successful community placements for residents. I think he would agree with that. I think it is appropriate to ask this supplementary in that the Bluewater Centre is slated to close exactly three weeks from today. In the short time remaining, 89 of the 150 residents are still without concrete plans as to their fate. The minister has been unable to place 40 residents in London owing to his failure to meet previous community funding commitments and the fact that London already has 50 people waiting for residential placements and 60 more waiting for workshop placements. This is before the Bluewater closing.

Mr. Speaker: Question, please.

Mr. Wrye: The minister is now considering sending up to 60 people, as he said earlier, to the Palmerston Midwestern Regional Centre, which is rapidly increasing its numbers to more than 200 residents.

Will the minister agree to placing the closings on hold in Goderich, St. Thomas, Aurora, Cobourg and Whitby until such time as he can assure this House that the five-year plan is one of deinstitutionalization and not just one of reinstitutionalization?

Hon. Mr. McCaffrey: Mr. Speaker, the Minister of Community and Social Services (Mr. Drea) has made that commitment on more than one occasion and that commitment still stands.

Mr. Boudria: It is not working too well.

Mr. Wrye: Nobody believes it.

Mr. Boudria: It has been a flop so far.

Mr. Speaker: Order.

Mr. R. F. Johnston: Mr. Speaker, will the minister not agree that the reason he is having problems with the community placement is not to do with percentage terms about how this happens in all cases, but is to do with his having accelerated the deinstitutionalization process unreasonably and these people cannot adjust, and also because he has not put into place the proper community support he is putting more people back into institutions than he planned in the first place? Is the whole thing not becoming more costly than he ever presumed? Will he agree that he is not doing effective deinstitutionalization, and therefore it is time to stop and take stock of the situation before we go any further with it?

Hon. Mr. McCaffrey: Mr. Speaker, there will be no stopping as far as the government's commitment to deinstitutionalization is concerned, and there is a long history to that which everyone knows.

It should be made clear that no institution will close, be it in three weeks or whatever earlier date, until all of those patients are adequately and properly looked after.

Mr. R. F. Johnston: They put people in Brockville through hell when they closed it. Don't give me that.

Mr. Speaker: Order.

Hon. Mr. McCaffrey: If that means there would have to be some adjustment in the announced closure date, then obviously that goes without saying, because the commitment has been made in this assembly and outside on a number of occasions that nothing will be done until all the patients in the named institutions are properly and adequately placed.

ELDERLY PERSONS CENTRES

Ms. Bryden: Mr. Speaker, I have another question for the Provincial Secretary for Social Development. Has the minister read the brief sent to him last month by the Older Adult Centres' Association of Ontario drawing to his attention the shocking fact that the maximum provincial grant for operating costs for elderly persons centres has not been raised from the miserly \$15,000 set in 1966, despite an increase in the consumer price index of 236 per cent since that date?

I would like to ask the minister how he and his colleagues can talk about their concern for seniors in this province and, at the same time, continue to underfund centres that provide essential recreational and social opportunities

for, and promote the health and welfare of, seniors in the community.

Hon. Mr. McCaffrey: Mr. Speaker, neither I nor any member of this government has any difficulty talking about our record and our commitment to seniors. With regard to the Elderly Persons Centres Act, I respect the fact that the ceiling of \$15,000 has been in place for some years, but the number of centres being funded has grown over the years. As most members have, I have had first hand experience visiting and being involved with centres in my community. They are like anything else; more money could be used. But the number of centres being funded has grown over this period of time.

Ms. Bryden: The brief indicates there is a backlog of 20 applications for funding for elderly persons centres and some of these date back to 1974. In addition, the Ministry of Community and Social Services anticipates that funding will be sought for another 50 in the near future because of the unmet need.

I would like to ask the minister if he can make a commitment to deal with that backlog of 20 this fiscal year. What request is he making to the provincial Treasurer (Mr. Grossman) for additional funds in the coming year to maintain and expand these very important facilities, to index the ceiling and to provide adequate capital funding as well?

Hon. Mr. McCaffrey: I cannot make such a commitment, but I can assure the member that the whole question, not only of the elderly persons centres, the number to be funded and the ceiling which is at present operative, but the broader question about funding and support for seniors' needs is very much a priority of the Treasurer and the government and is, on any given day in our deliberations around here, of the highest urgency.

Mr. Wrye: Mr. Speaker, let me ask the minister if he will completely review this whole matter. He will be aware that last year the senior citizens centre in my community of Windsor ran into exactly that problem of the \$15,000 ceiling. It found itself in great need to expand because we have a burgeoning seniors population. Yet the ministry's level of \$15,000, which is more than a decade and a half old, I believe, completely shut them out for funding for months on end and threatened their ability to move to a larger facility.

Will the minister give us a commitment today to sit down and review that level, understanding as we do that we have more centres, but I am

sure, understanding as he will that we have had great changes in the value of the dollar over the past 15 years.

Hon. Mr. McCaffrey: Mr. Speaker, I will take a look at the number on the waiting list and the priorities to be funded. It is terribly important that the member and all of us remember when we are talking about the Elderly Persons Centres Act and the existing \$15,000 ceiling, this should not be seen in isolation from things this government, through a variety of ministries, is doing to meet the burgeoning demands and the growth in the number of senior citizens.

10:50 a.m.

In the member's own community some capital commitments have been made in the recent past that I am aware of. I do not think we should see this in isolation. That is not the only yardstick about what we are doing to meet the growth in demand for services.

RESIDENTIAL TENANCIES LEGISLATION

Mr. Ruprecht: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. I would like to ask the minister how well he thinks tenants are being protected when, after two years, hundreds of tenants are still owed literally thousands of dollars by landlords. As he well knows, in one building the landlord overcharged 54 tenants in varying amounts between \$2,000 and \$17,000, and two years' later they have not yet been paid back.

Hon. Mr. Elgie: Mr. Speaker, I am not sure which building the member is talking about. As he knows, there are some that are under appeal and some that are not. As a general principle, I think my response to that has to be that the commission has addressed those issues. The commission has now commenced action before the courts with respect to some of those matters the member may be referring to, so that those people who have not been complying with the Residential Tenancy Commission orders may be charged with contempt.

We are awaiting the outcome of those charges before the government reviews the whole matter. I hope the member, being the thoughtful member—or is that true?—being the thoughtful member he has the potential to be, let me put it that way, would also agree that is an appropriate way to proceed.

Mr. Ruprecht: The minister is really being very complacent. Not only are hundreds of tenants still being overcharged in spite of the

present situation, but they are at present still overcharged—

Mr. Speaker: Question, please.

Mr. Ruprecht: —because the landlord is asking for two cheques, one for the rental accommodation and one for the furniture in the building.

Will the minister at least give us a commitment that he will recommend to the Thom commission that clause 4(a) of the Residential Tenancies Act be changed so this situation can be overcome?

Hon. Mr. Elgie: I think I have already responded to that question.

FIRST CONTRACT NEGOTIATIONS

Mr. Cassidy: Mr. Speaker, I have a question for the Minister of Labour with respect to the situation at the The Mill restaurant in Ottawa where employees are now in their fourth month of being on strike in search of a first contract.

Is the minister aware the employer in this case is now demanding the right to exclude three of the workers who have led the strike, Fernando Cagigal, Rad Daher and Pierre Hardy? The employer wants to take their jobs away as a condition for settling a collective agreement.

Will the minister make a clear statement in this House that it is not acceptable behaviour in Ontario for employers to victimize workers who stand up for union rights and that this demand should be withdrawn in order that the contract can be settled?

Hon. Mr. Ramsay: Mr. Speaker, it is my understanding that the other issues have basically been resolved and this remains the outstanding issue. There will be a further meeting, which will be mediated by one of our officers, on Tuesday of this week and I am optimistic the problem can be resolved at that time.

Mr. Cassidy: Will the minister make a clear statement that kind of behaviour is not tolerable in Ontario and that kind of demand is simply not an acceptable demand for an employer to make, to seek to victimize the very workers who are responsible for forming a union? Will he make that statement in this House now and make it clear where the government stands, or is he saying that is tolerable behaviour?

Hon. Mr. Ramsay: I would never say that is tolerable behaviour, but what I would say is this is a practice that is used in many negotiations. It is usually down to the last items to be considered. This happens to be a first contract, but in

other cases there are people the management perhaps feels have not behaved properly during the course of a work stoppage and so on. It is a matter that is best attended to through the mediation services of our ministry. Our ministry has an excellent record in resolving these situations.

DISASTER RELIEF

Mr. G. I. Miller: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. I would like to make the minister aware that a tornado went through the townships of Norfolk, Walsingham, Wycombe and Langton. Fortunately, it did not do a tremendous amount of damage, but for the few farms and homes that were hit it was devastating. Can the minister indicate if the disaster fund will assist the people who were affected by this tornado?

Hon. Mr. Bennett: Mr. Speaker, some of the ministry people have been down in the area reviewing the situation with some of the local councils. I do not know at this time if an official request has been placed before me or the ministry asking the government to activate its disaster relief fund. As the member knows, if the situation qualifies, then the province will make an announcement indicating its participation. There again, it would only be in conjunction with participation by the community itself.

Mr. G. I. Miller: Does the minister not think it should be simplified and the same money be made available at low interest rates as it was to the people at Woodstock where I believe they could borrow money at a reasonable rate?

Anyone can be wiped out in a few seconds. There was one farmer whose barn was completely wiped out, and five kilns and his greenhouses were destroyed. He could be out of business in a flash. I know one is supposed to have insurance, and he did have insurance, but it is not adequate to replace the facilities because of devaluation through age. Should there not be a simpler way of providing funding for cases of this type?

Hon. Mr. Bennett: I think we have to keep a balance in the situation with which we are dealing. The government has at no time said it is going to become the insurance position for everybody in this province. If we started to try to simplify the process and to make it much more generous from a general taxpayer's point of view in Ontario, there would be people who would take the next step and ask, "Why should I

be self-insured or be insured through a private corporate system?"

We have always been very considerate in trying to deal with people who have really and truly met with a disaster and who did not have insurance, in some cases because it was not available to them. But in no way do I wish to leave this House or the people of this province with the idea that we are going to broaden the disaster relief fund to the point where it will weaken the position of the general insurance people in this province in selling to those who want to protect their own financial interests.

ROYAL ONTARIO MUSEUM ADVERTISEMENT

Mr. Foulds: Mr. Speaker, I have a question for the Minister of Citizenship and Culture. Can the minister comment on the sheer stupidity and insensitivity of the public relations of the Royal Ontario Museum in placing in the Thunder Bay Chronicle-Journal this advertisement: "ROM whirls away from the everyday. Once they traded, transacted, conned, bargained and bartered for these treasures. You can enjoy them for the price of a ticket. 'Silk Roads, China Ships,' ROM, Royal Ontario Museum, Avenue Road at Bloor"?

Could the minister tell the officials of ROM that there is no Avenue Road and Bloor in Thunder Bay, that there is no silk road between Thunder Bay and Toronto and that the price of a ticket for the people of Thunder Bay to attend this function would be around \$325 Air Canada return fare or two days' driving time on bumpy highways?

Hon. Ms. Fish: Mr. Speaker, I will be pleased to convey the honourable member's wishes to the ROM.

Mr. Foulds: Can the minister also inform the PR officials at the Royal Ontario Museum that such an advertisement is more likely to do damage to its very fine reputation than to enhance it? There should be some sensitivity about the placing of ads across the province. Surely, if there is going to be this kind of advertising campaign, it should be very clearly pointed out that this kind of thing is available only in Toronto at present.

11 a.m.

Hon. Ms. Fish: Notwithstanding whether the ad should have changed somewhat in its wording, the member is aware that the intention of the Royal Ontario Museum has been to make people right across Ontario aware of the exhib-

its housed in the museum so that when they are here in Toronto, where the museum happens to be located, they will be aware of it and perhaps take advantage of it.

If the particular wording of the ad, or the indication that there is something that has given offence or has been a cause of concern to people in the member's riding, I know that would concern the appropriate officials at the Royal Ontario Museum. They see their role, as do I, as serving all the people of Ontario. I believe their attempt should be applauded for its spirit, which was to make available to people across this province the knowledge of the shows and exhibits at the Royal Ontario Museum.

EXTENDED CARE FACILITY

Mr. T. P. Reid: Mr. Speaker, I have a question for the acting Minister of Community and Social Services with regard to the new home for the aged to be built in Fort Frances, serving the Rainy River district.

The acting minister may be aware that the province through the Board of Industrial Leadership and Development program is providing something like \$4.25 million for this 168-bed facility. I wonder whether the minister, and I refer this as well to the Minister of Northern Affairs (Mr. Bernier), knows that this is going to cost the township of Atikokan something like \$778,000, the township of Emo \$305,000 and the town of Rainy River more than \$167,000.

As well, these municipalities are being charged for and have financial problems related to programs under the Ministry of the Environment about which they were not aware.

Will the acting Minister of Community and Social Services, the Minister of Northern Affairs and perhaps the Treasurer (Mr. Grossman) review this matter with a view to providing further financial assistance to this much-needed project for the Rainy River district?

Hon. Mr. McCaffrey: Mr. Speaker, I am a little bit aware of the background. I thank the honourable member for his interest in it. I will undertake to raise that specific question with the Ministry of Community and Social Services. My colleague the Minister of Northern Affairs too has something he would like to contribute to the answer.

Hon. Mr. Bernier: Mr. Speaker, in answer to the honourable member's question, I certainly appreciate his interest and concern because it is a concern in the Fort Frances-Rainy River-Atikokan area.

The reeve of Atikokan did contact me with respect to special assistance for Atikokan in its predicament. I had to indicate that we did not have the funds he was looking for, but I did point out to him as strongly as I could that the Ministry of Northern Affairs and the Ministry of Health had approved a 16-bed extended care facility for Atikokan which will cost in excess of \$1 million. It will take the pressure off its extended care requirements in the long term.

I also pointed out to him the long-standing legal commitment to the Rainycrest Home for the Aged. When we brought in the extended care program, we were adamant in pointing out that the agreements the communities got into with the regional homes for the aged had to remain in place.

I have the same situation in the Kenora area. I am also told that Atikokan does have the wherewithal to debenture for those kinds of funds.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. Boudria: Mr. Speaker, I wish to table a petition with 287 signatures, and it reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition is signed by 287 teachers from the following schools: Fairfield Public School, Terry Fox Public School, Blackburn Public School, Glen Ogilvie Public School, Convent Glen Public School, Lamira Dow Billings Public School, l'Ecole élémentaire française Le Phare, Henry Munro Middle School, Carson Grove Public School, Manotick Public School, Robert Hopkins Public School, Emily Carr Middle School, Blossom Park Public School, Ramsayville Public School and Fisher Heights Public School.

Mr. Foulds: Mr. Speaker, I have a petition, which reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The petition is signed by elementary school teachers in Thunder Bay and area: Crestview Public School, Algonquin Avenue Public School, McKenzie Public School, Grandview Public School, Balsam Street Public School, Edgewater Park Public School, Pine Street Public School, St. James Public School, Gorham and Ware Public School—at which there was a magnificent opening of the new wing last Tuesday night, which 500 people attended—McKellar Park Central School and Section 15 of Twinhaven School for the Trainable Retarded.

I would like to say very clearly that I support this petition.

REPORTS

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Barlow from the standing committee on resources development reported the following resolution:

That supply in the following amount and to defray the expenses of the Provincial Secretariat for Resources Development be granted to Her Majesty for the fiscal year ending March 31, 1984:

Resources development policy program, \$3,384,000.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr. Kolyn from the standing committee on administration of justice reported the following resolution:

That supply in the following amounts and to defray the expenses of the Ministry of Correc-

tional Services be granted to Her Majesty for the fiscal year ending March 31, 1984:

Ministry administration program, \$9,564,300; institutional program, \$169,798,300; community program, \$39,179,000.

11:10 a.m.

INTRODUCTION OF BILLS

CORPORATIONS INFORMATION AMENDMENT ACT

Hon. Mr. Elgie moved, seconded by Hon. Mr. McMurtry, first reading of Bill 102, An Act to amend the Corporations Information Act.

Motion agreed to.

Hon. Mr. Elgie: Mr. Speaker, this bill is part of a companion pair of bills I am putting in today. I will make some remarks following the second bill.

EXTRA-PROVINCIAL CORPORATIONS ACT

Hon. Mr. Elgie moved, seconded by Hon. Mr. McMurtry, first reading of Bill 103, An Act in respect of Extra-Provincial Corporations.

Motion agreed to.

Hon. Mr. Elgie: Mr. Speaker, I am pleased to introduce for first reading the Extra-Provincial Corporations Act, which I believe will be welcomed by the Canadian business community. I am also introducing for first reading the Corporations Information Amendment Act, which is ancillary to the proposed new act and which includes three other housekeeping changes.

The new act will remove the need for Canadian companies incorporated outside Ontario to obtain an extra-provincial licence to carry on business in this province. As honourable members are probably aware, companies incorporated by the Quebec and federal governments are now exempt from licensing requirements that apply to companies in the eight other provinces.

This new legislation would remove that discrepancy, treating all Canadian corporations equally. By making it easier for Canadians to do business in Ontario, we hope to encourage a freer movement of capital and enterprise within this country. Under the new act, companies incorporated by jurisdictions outside Canada will continue to need an extra-provincial licence to do business here.

The new act will replace an outmoded section of the existing Corporations Act dealing with extra-provincial corporations. Of course, this new legislation will not change the licensing or

registration requirements of any other act for companies engaged in certain business activities in Ontario.

The removal of licensing requirements would immediately affect 2,683 companies, a small percentage of the approximately 325,000 Canadian corporations active in Ontario. The new Extra-Provincial Corporations Act will also (1) more clearly define the meaning of carrying on business in Ontario, (2) codify provisions for company representative agents in Ontario, (3) stiffen penalties for breaches of the act and (4) set out procedures for determining whether the name of a corporation is acceptable for use in Ontario.

I want to emphasize that the dropping of licensing requirements in no way lessens our control over corporations operating here. In fact, changes I am proposing today in the existing Corporations Information Act will require extra-provincial companies to file additional information on other activities in Ontario.

The other changes proposed for the Corporations Information Act are simply intended to clarify the legislation, and I trust members will co-operate with speedy passage of these bills.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MINISTRY OF INTERGOVERNMENTAL AFFAIRS (concluded)

On vote 601, ministry administration program:

Mr. Boudria: Mr. Chairman, I believe that at the close of the debate the other night I had enumerated two questions for the minister. One of them was on how he felt about the decision of the Board of Internal Economy with regard to translations when a member of this Legislature is corresponding with his constituents. I wondered whether he still interpreted that to be a privilege accorded to me rather than a right that should be accorded to me.

I qualify that by referring to the decision taken recently by the Board of Internal Economy not to recognize translation services as being a service of the assembly but rather as a service that is offered to each member individually. I find that unfortunate and I think the minister who is responsible for French services should have some views on that to offer to us.

Another matter I raised with the minister was l'Accueil médical francophone, and I described what the service did. I am looking forward to

finding out whether the minister intends to have this project run in any other way than as a pilot project, because although the present program works quite well, the people in charge of l'Accueil médical francophone continually have to apply for funding, lobbying and so forth to ensure the continuing existence of this service, which is so vital to francophones all across Ontario who require medical services.

The reason I am bringing this to the attention of this minister, although it is a medical service, is that part of the grant for this service comes from this ministry and part of it from two other ministries. In case you wonder whether I am off on a tangent, Mr. Chairman, that does not belong in this ministry. The fact is that it is a francophone service and this minister is responsible for all services to francophones ultimately, with perhaps the exception of education, which I could add is unfortunate because we probably would be quite a bit further ahead if this minister were in charge of francophone education as well.

I indicated in the House yesterday that I was very happy the Attorney General (Mr. McMurtry), who is with us this morning, introduced a new Courts of Justice Act. I am specifically pleased with page 97 of the act, which says in section 135:

"The official languages of the courts of Ontario are English and French." It says "new" right beside that. That is really an understatement. "Precedent-setting," "historic" or all kinds of other things should have been there after the word "new," because it is also all those things as well as being new.

In a conversation I had yesterday with the Minister of Intergovernmental Affairs (Mr. Wells), the minister said this is not such a big deal; it is not all that new. I read an article by John Cruickshank in the *Globe and Mail* today quoting the Attorney General as saying, "I think the legislation is of great symbolic importance."

It is interesting that of two ministers favourable to francophone issues, one minister does not think it is such a big deal while the other minister says it is quite important, historic, symbolic, etc. It is interesting to see those two ministers having those two different views.

As a francophone member of this Legislature, I do think it is very symbolic and I want to congratulate the Attorney General, as I have done in the past. If others do not have the nerve to put those things on record, certainly he does, and I congratulate him for that.

I had the pleasure of visiting the ministry's office in England this summer. I was only there for about an hour. I was not invited to visit; so I just saw the person in charge, Mr. DeGeer. I would have enjoyed visiting longer and learning more about it; however, it was a very brief visit, and that is about all I can say about it because nothing else was afforded me at the time.

As the minister responsible for Franco-Ontarian issues in cabinet, the minister should have a few words to say on the bicentennial. I will not pretend to be a historian, but I certainly know the history is inaccurate. I can recall some historical dates and there is one common thing: there are very few historic dates in our history ending in "84," whether we go back to the original colonization of our country, or whether we think of the Treaty of Utrecht of 1713, the Quebec Act of 1774, even the Treaty of Paris of 1763, the Constitution Act of 1791, the Act of Union of 1840 or even the repeal of the corn laws in 1846 by the Parliament of England. None of those dates has anything to do with 1784. It is very confusing why that particular year was chosen, although there is one thought that does come to mind.

Mr. Cassidy: The election.

Mr. Boudria: The member for Ottawa Centre may have just hit it. They are going to celebrate the bicentennial before an election.

11:20 a.m.

I thought of something else recently. It is interesting that when the real bicentennial happens in 1991, I can challenge the members that they will celebrate it again. We are probably the only place in the world that will celebrate its bicentennial twice in seven years.

Mr. Cassidy: They will have an election after that too.

Mr. Boudria: Yes, in order to celebrate that fully we will have to have an election to commemorate the Constitution Act of 1791.

Contrary to popular belief, the Constitution Act of 1791 was not signed in 1784. It was signed, of course, in 1791. Notwithstanding that we have modern math and that the Minister of Education (Miss Stephenson) and the Premier (Mr. Davis), when he was Minister of Education, totally ransacked our educational system, 1791 plus 200 still equals 1991 and not 1984.

I recognize that we celebrated the centennial of the Loyalists in 1884. I do not recall that we celebrated the centennial of Ontario in that year. I asked the member for Scarborough East

(Mrs. Birch), in her previous role as Provincial Secretary for Social Development—and I think she still has responsibility for the bicentennial—if she would table in the Legislature the research paper that was prepared for cabinet to legitimize the year 1984 as the bicentennial of Ontario. She did say to the committee that such a research paper had been prepared.

The minister replied to me, through a question I placed on the order paper, that no such reply would be forthcoming because that was a cabinet document and, like all other cabinet documents, it is secret. We must never know the real reason why 1984 is being celebrated as the bicentennial of this province. The logic of that escapes me.

Mr. Grande: You said you knew it was to be a party before the general election.

Mr. Boudria: We do have some reason to think that, to answer the member for Oakwood. I think the member for Ottawa Centre and I agree on that point.

I have two more items that I would like to cover very briefly. First is the matter of Ontario-Quebec workers. I have raised this many times with the minister. It is mostly a local problem in eastern Ontario. The member for Cornwall (Mr. Samis) would know of this as well. It does affect his area. It also affects the member for Ottawa Centre and my constituency a lot.

We have a problem when contractors from Quebec come to work in Ontario. It is all fine and well provided we could do the reverse, but it is extremely difficult to tell my constituents in Hawkesbury why a contractor from Grenville or Lachute or Calumet in Quebec can come in and reconstruct or rebuild the inside of the church at Hawkesbury when a contractor from Hawkesbury, the minute he crosses the bridge into Quebec, gets stopped.

There were some negotiations between the government of Ontario and the government of Quebec a number of years back on this issue as it involved the heavy equipment industry, the bulldozer people. The minister will remember they had threatened to block the bridge crossing from Ottawa into Hull in the late 1970s. Because the issue is not a province-wide issue, only an eastern Ontario issue, we certainly do not hear much from the government on it.

Since I have been here I have written to the minister once or twice a year about this continuing to happen all the time. I wonder if the minister has any new developments to report to the House on this situation. Has he had any

meetings in the last year? Has any progress been made?

I know the construction workers per se have this agreement. It is the contractors who do not. If the minister is going to reply just on the issue of the construction workers, I know that was settled a few years ago.

The matter of the Senate was raised by some members of this House. I for one do not believe we should abolish the Senate. I think it has a very useful place in our country. I do not think we should have one at the provincial level; there is no need for it there. The very purpose of having some kind of a Legislature which represents the interests of the provinces per se is certainly one I like, one I think should continue.

I know the Senate already has that role and it also has a role of giving sober second thought to legislation. It probably works quite well in the second area; it does give that sober second thought and reviews laws. But in so far as representing the provinces is concerned, I do not think there are very many people who actually think the Senate is doing such a good job.

I was just wondering if there has been any proposal made by the provincial government to either the Senate committee or in federal-provincial discussions concerning the issue of an elected Senate, which is one that I like. I wonder if it was ever addressed. I personally would like to see an elected Senate that would be elected at the time of the provincial elections.

Here in Ontario we have 24 Senate seats, as does Quebec. Our Senate seats do not have ridings at this time, as do Quebec Senate seats. Quebec is the only place in the country where there are Senate ridings, based on the original 24 seigneuries of Quebec. In any case, in Ontario, if the thought were given to electing half of the senators at every provincial election, we would have senators in Ottawa for an average of six years, which is the same tenure as American senators. Half of them would be elected at the same time as every provincial election.

On average, if we look back in our history I think we could say that provincial elections are held once every three years. I know our terms are five years, but we do have an occasional minority government and other kinds of things; an occasional government that tries to get itself elected when there is a propitious moment in the Gallup polls and so forth. The elections do occur at a quicker pace than the maximum five years.

This would mean that under this formula, with half of our senators being elected every three years, we would always have continuity in the Senate. We would have an elected Senate, one that would represent provincial interests because it would be elected at a provincial election in every province in Canada whenever provincial elections are held. Therefore, I think it would give a structure which would be most responsive to provincial needs. I am just wondering if anything like that was ever addressed by the minister or by the Ministry of Intergovernmental Affairs.

I could go on all morning but I know other members want to speak and we have only 46 minutes left in this debate. I would invite the minister to respond to some of those issues.

The Deputy Chairman: Does the minister want to respond at this point?

Hon. Mr. Wells: Yes, I think so, Mr. Chairman. First, at some point before we conclude, I would like to indicate to the members some of the things that have happened in the language services area which I think should be put on the record.

Certainly we view seriously the new Courts of Justice Act, Bill 100. It has a very significant number. Bill 100 was the number for several significant bills in this Legislature. As my friend will know, Bill 100 was the number given to the school boards and teachers collective bargaining legislation, a very progressive piece of legislation that this Legislature passed a few years ago. Now this Courts of Justice Act also carries that number. It is an important step forward.

Mr. Boudria: It is a symbolic step.

Hon. Mr. Wells: It can be symbolic. I am happy the member sees it as a symbolic step forward. It certainly represents exactly what the Premier, the Attorney General, myself and this government have said in so far as French-language services in this province are concerned.

11:30 a.m.

We have said we do not need entrenchment in the Constitution and we do not need an overall French-language services act. What we need is specific legislation in areas where that service can be fulfilled and carried out. The courts have moved to the point where we can make English and French the languages of the courts. That is now done in this new piece of legislation, just as we did in 1967 in education. After years and years of—

Mr. Boudria: The Education Act does not say "official languages."

Hon. Mr. Wells: It does not matter whether it says "official languages."

Mr. Boudria: Yes, it does.

Hon. Mr. Wells: No. My friend misses the point. What the Education Act says is that French is a language of instruction in the schools of Ontario. In 1967 that was a very significant thing. I guess it was not 1967; 1968 in the secondary schools. Prior to that there were French-language schools. French became an official language of instruction in the schools. Whether the word "official" appears or not is probably immaterial, but if it is significant to people I am happy to accept that.

That is only part of what we have been doing. I am sure the member has received the 1982-83 annual report of the co-ordinator, the directory of offices with French-language service capacity and the Renseignements Ontario information kit which outline the things that are happening in French-language services.

I would like to outline quickly some of the specifics of the government policies and programs we have taken in the 1982-83 period. In March 1983 there was the publication of the white paper on the governance of minority language education. Shortly, we will be debating in this Legislature amendments to the Education Act which will fulfil one of the requirements of that report. Actually, I am not sure that was in the report. Anyway, we will be bringing in amendments to the Education Act to guarantee that anyone in this province whose mother tongue is French will have the right to minority language education. That will also apply to anglophones in areas where they are a minority.

In the education field, as was announced earlier in this session, the study of French has been made compulsory in grades 7 and 8 in the elementary schools, the intermediate program, and one credit in French will be required for the secondary school certificate. As I said, in 1984 the Ministry of Education is going to require that everyone in grades 7 and 8 take French.

In other legislation, as was announced in June, changes are being made in the Public Libraries Act, which comes under the responsibility of the Ministry of Citizenship and Culture. These changes will guarantee French-language services in this area, especially with a guaranteed representative number of francophones on the Ontario Provincial Library Council.

I have already dealt with what is happening in the justice field. We will have adequate time to debate the new Courts of Justice Act. This is something I wholeheartedly support. This office, in its capacity as the office, and myself in my capacity as the minister responsible for French-language services are most happy this act is now coming into this Legislature.

Initially, the office of the co-ordinator in this ministry has been working with all ministries so that offices in Sault Ste. Marie, Windsor and St. Catharines are soon going to have a capacity to provide services in French. This is as well as the capacity that has been developed in all the designated areas of the province.

The co-ordinator's office has also expanded its activities with an information campaign centred on a new poster and information kits for Renseignements Ontario. This campaign has received wide support in Ontario's francophone community and we will be continuing to build on our work in this area. As well, we are promoting Ontario's French-language services, as my friends will note, through print, radio and television advertising campaigns and through specialized articles which are running in the Quebec media.

We are working with the Civil Service Commission to develop a comprehensive personnel policy on the designation of bilingual positions. In this regard, we have obtained an exemption from Management Board from the current outside hiring freeze for these positions that require knowledge of both languages. Those who read Topical regularly will have seen those positions advertised. They are open and not restricted.

We are also establishing a task force to look at the availability of bilingual professionals in such areas as health care and community and social services. We have organized a series of eight seminars for the benefit of directors and staff members of regional offices throughout the province. We will be discussing new aspects of the French-language services policy and we will also be attempting to inform regional employees of their role in the delivery of these services.

Finally, as I think I may have announced already but I am happy to announce it again, we recently hired a deputy co-ordinator of French-language services, Louise Beaugrand-Champagne, who will be working with the co-ordinator Don Stevenson, my deputy minister, and a number of other very capable staff members on the continuing expansion of services. This group is

working with the Conseil des affaires Franco-Ontariennes and Roger Régimbal in their role of highlighting for us needs that must be met in this very important area. Ms. Beaugrand-Champagne takes up her duties on November 1.

As to the specific question that was asked about l'Accueil médical francophone, it is a very important service. I am in the very fortunate position today of being able to answer the question not only as the minister responsible for French-language services in Intergovernmental Affairs, but also as the acting Minister of Health, two of the three providers of money for that service. I can guarantee that the service will be funded for the next year.

Those who have been worried about that know that because it has been funded from programs that come up for review each year, the appropriate or necessary form letters always go out suggesting that one must resubmit and so forth. That is as I think all members would want it, that all those kinds of programs in this Legislature be reviewed.

Mr. Cassidy: It was more than a formality. They were told quite specifically they were down the drain.

Hon. Mr. Wells: I beg your pardon. I do not know that they were ever told they were down the drain.

Mr. Cassidy: They were told there was no funding. It was quite specific.

Hon. Mr. Wells: Perhaps the honourable member would like to bring me some letter that shows exactly that, because I have asked that question and I have been told they were never told they were down the drain. They were sent the usual letter which said, "Your funding ends as of March 31, 1984, and if you apply again you will be considered."

Mr. Cassidy: They were also told in personal contact—

Hon. Mr. Wells: I do not know what they were told in personal contact, but I want to tell my friend that I consider it an important service. I have already told people it should be funded next year and I have said, "Let's find a way to put it on a permanent basis."

Mr. Cassidy: That is the answer I want to hear.

Hon. Mr. Wells: And that is what we are going to find.

Mr. Boudria: That is a very important service.

Hon. Mr. Wells: I know it is a very important service. My friend and colleague the member

for Cochrane North (Mr. Piché) had a number of his friends down. Members met them all in the Legislature yesterday. We talked about this problem then and they indicated the great help that this service is for the people from Cochrane North, and I am sure from a number of other areas in this province.

Mr. Boudria: From everywhere.

Hon. Mr. Wells: Yes, from everywhere, for people who come in for very highly specialized medical services in this city. I can assure the member that the program will be continuing and we are going to try to find a way to put it on a more permanent basis.

Mr. Cassidy: Will the minister stop any cutbacks in it next year?

Hon. Mr. Wells: I do not know whether there are going to be any cutbacks. I have to say to my friend that in the whole area of government services we have to talk to people about what constitutes a reasonable amount of funding. There is no bottomless pit of money available and we have to see what a reasonable amount of funding is. We will be working with them and they will be funded and that service will be provided.

In so far as the construction workers' mobility issue is concerned—

Mr. Boudria: The contractors, not the workers.

Hon. Mr. Wells: That is what I was going to say. If my friend is talking about the matter of contractors, he knows the policy of this government is in favour of the free flow of goods, individual services and capital across provincial boundaries. We believe that a contractor in the member's riding should be able to bid on any job in Quebec, just as any contractor living across the river in Quebec should be able to bid on a job in Hawkesbury, in Ottawa and so forth.

11:40 a.m.

We know that is not possible at the present time for various reasons, a number of which I have no control over. I make that position very clear at the various federal-provincial meetings, interprovincial meetings, private discussions with Quebec ministers and so forth. Really, we agree to disagree in this area on some occasions because I understand there is a prohibition against out-of-province contractors tendering on provincial or municipal work in Quebec.

I believe that whole practice began well before the present government was there. In fact, it started back in the 1960s under some of the Liberal and Union Nationale governments.

Mr. Boudria: The workers, yes, but not the contractors.

Hon. Mr. Wells: No, the contractors. The requirements on province-only companies bidding on jobs began well before the present Parti Québécois government was there and it has been an ongoing irritant. I believe it is one that should be removed. All I can say is that the policy of this government is to try to encourage removal of it, but so far we have not arrived at that particular point.

Rather than take up more time, because I am sure other members have things they would like to add, I would just like to say I am very pleased that, along with all of the other hardworking staff of the ministry, Adrienne Clarkson, our agent general in Paris, is here today for these estimates.

Those who had the opportunity to hear her at the Canadian Club last Monday heard a very interesting and excellent speech on the French situation, Ontario's presence there, why we have an office there and how effective that office is. It can be duplicated in Brussels and in London, as has already been alluded to, and in the new operation that is just getting going in New York City.

Mr. Boudria: I have just one further question.

The Deputy Chairman: There are others who want to participate. I would like to pass around.

Mr. Boudria: I will be very brief.

Mr. Piché: I will be very brief, too, on the next one.

Mr. Boudria: First, on behalf of our party, I want to welcome Miss Clarkson, the agent general, who is here today.

I would like to go back to the question on l'Accueil médical francophone. It is not that the funding was to be lost; it is that it would be severely cut back. The grant from the Ministry of Intergovernmental Affairs was a one-shot deal, as I understand it, that they received last year.

In any case, the grant they had received from the ministry last year, which I understand was \$20,000—

The Deputy Chairman: The minister has a response.

Hon. Mr. Wells: It was \$20,000; and from the Ministry of Northern Affairs, \$25,000; and from the Ministry of Health, \$53,779. I have not talked to my friend the Minister of Northern Affairs (Mr. Bernier) yet, but I can guarantee that the \$20,000 will be available. The Health

one will probably be equal or slightly raised. We will have to talk to Northern Affairs, but I am sure that with the support of my friend the member for Cochrane North we will be able to convince the Ministry of Northern Affairs to continue. That will give us time to develop a model for ongoing—

Mr. Boudria: I was informed just yesterday that they were told the Health grant they were getting was on a downward type of scale and was shrinking every year in the hope that they would find external funding.

If the minister is telling me they are going to get \$53,000 or more, that is much better than they have heard so far. They were expecting their money to go down on a yearly basis. I thank you for the equal or better funding than last year that they are going to get. I am sure they will be pleased to hear that. Can I consider that a commitment?

Mr. Piché: Mr. Chairman, I just want to add my support for the l'Accueil médical francophone. During the past year I have given my total support to l'Accueil médical francophone of Toronto. This was accomplished in the following way. Articles appeared in *Le Nord*, a newspaper published in my riding in French, in my monthly news column. It also received coverage through the CBC French provincial affairs program, both on radio and television. I am currently working with parish priests in my riding, as well as local doctors, to encourage the francophone population to make use of this most valuable service to our northern regions.

Finally, I heard yesterday that the government intended to continue to offer financial support to l'Accueil médical francophone for the next fiscal year.

I would urge the minister to ensure that this most important program remains on a permanent basis instead of only on a year-to-year basis. It is a most important service for those francophones in Ontario who have trouble expressing themselves in English who come to Toronto for medical attention.

The minister was with us yesterday morning when we met with the mayors, reeves and administrators of Cochrane North, and we had a discussion in which this matter was brought up and they indicated their full support to the minister. I think it is a very important program and I would like to see our government continue it on a permanent basis so we can go on with other things.

Mr. Cassidy: Mr. Chairman, I wanted to say a

few words to the minister about French-language services in the province. It is refreshing, I have to admit, compared to the situation 10 or 11 years ago when, at that time, there was virtually no recognition in this province about the need for Ontario to serve its members of both official language communities and not just to serve people in English.

It is refreshing that we can now be talking about where to go and how far to go, despite the frustration I have as a member of the New Democratic Party at the resistance of the government to enshrine in the Constitution rights which ought to be there and which we have long ignored at the time of constitutional change.

I think the minister is being a bit theological and hairsplitting when, in his reference to French being an official language in the courts, he says "probably immaterial." If it is probably immaterial, then why the devil has his Premier such reluctance to accept the terminology? Why does the minister, who is familiar with the concerns of Franco-Ontarians, treat this issue so lightly when he knows perfectly well how much of a concern the issue is to Franco-Ontarians?

Hon. Mr. Wells: With respect, I did not mean that it was immaterial that it was there. I was really referring to the word "official." It has somehow been said that the inclusion of the word "official" was something going beyond what was there. I think it is very important that the words in English and French are the languages of the courts, which is what is in the other acts.

About the addition of the word "official," I am very happy to have that word in there, but I think if it is there or is not there, it would not change the commitment we have to that or the fact it is the language that can be used in the courts.

Mr. Cassidy: I would simply say to the minister that he has stated his position, but he must surely be aware that among the 500,000 or more Franco-Ontarians it is perhaps a good deal more material to them.

It is a matter of symbolism as well as a reality. I do not think there is anybody out there who believes that were we to pass the constitutional amendments now, that would automatically mean that overnight the necessary services not now available in areas like health and social services would suddenly start to be provided in French. It would still take time, just as it has taken time to translate the statutes of Ontario into French. That is accepted. But it is a symbolic step. It is the ability among Franco-

Ontarians to be able to get on with their lives without feeling the basis of their culture and of their society in this province is still not assured because their rights were given on a grace-and-favour basis by the government.

I guess I would be interested in knowing whether this step-by-step approach is the new policy of the government and whether we will find French being recognized as an official language in other statutes, in the health area, in social services or in other areas like that. None the less, we stay with our position, which we think is a good deal more direct to get the thing over.

11:50 a.m.

The minister knows perfectly well this is not something that should be left to referenda or popularity polls. The defence of the rights of minorities is always a test of how effectively a democracy is working. The challenge has been met by Howard Pawley and the New Democratic Party government in Manitoba, which intends to go forward despite the results of the referendum this week. I would hope this province could start to show more leadership in the future rather than constantly hanging back until the pack is ahead before running to catch up.

I want to talk specifically, because the time is limited, about two or three matters related to the area of language policy. I am of the view that this minister, being responsible for the co-ordination of French-language services in Ontario, ought to have at least a guiding hand in what is being done by other ministries. I would, therefore, start by bringing to the minister's attention the situation that still prevails in the Ministry of Education.

My party today is joining as an intervener in a court case which is going to the Supreme Court of Ontario. In that case, a number of Franco-Ontarians are attempting to have the Charter of Rights and Freedoms applied to ensure the right to French-language schooling in areas such as Iroquois Falls, Mattawa and other areas in northern Ontario where school disputes over the right to French-language education and to the formation of French-language entities still prevail to this day, some 15 years after the initial moves by the government to create French-language secondary schools.

We are intervening because of frustration, just as l'Association canadienne-française de l'Ontario and l'Association des enseignants franco-ontariens—the teachers' union—have gone this route because of their frustration in using the procedures put into place by the government.

The minister must surely know by now of the discretionary provisions that are there and the mandate of the Languages of Instruction Commission of Ontario to do no more than investigate and recommend but not to enforce its action. The lack of any implementation power on the part of the minister has created situations which are festering, which are unfair to the people in the communities affected, and which do Ontario and Canada untold damage in repercussions in the media, particularly in Quebec.

All that has been gained—and a great deal has been achieved in terms of the provision of French-language education and other services in the French language in Ontario—is nullified so long as we continue with the present situation where there are still areas where, because of lack of generosity and lack of leadership, the essential rights of Franco-Ontarians in matters of education are not being respected.

I visited Mattawa and Iroquois Falls and I talked to the people there. The situation is very difficult for people in the local areas to resolve. In Mattawa, for example, there are strong feelings about the creation of a French-language entity and they have gone about 90 per cent of the way to doing it. Everything is in place except the step—which one might call symbolic but which, none the less, is the essential final step—of declaring that the French-language entity actually exists.

The people who were leading the effort to form the entity are in a very frustrating situation because in that community the major employers—and there are not many—are wont to put pressure on people not to stand up too much, not to speak out too much. The situation is rather similar in Iroquois Falls as well. Economic pressure is being put on people not to speak up for their rights as Franco-Ontarians. Even when they do speak out, they run into school boards of the English-speaking majority which is unsympathetic to French-language rights.

In the case of the Nipissing Board of Education, there is an excellent French school in Sturgeon Falls which is operating very effectively. The record is not all one-sided. None the less, when it came to Mattawa, they dug in their heels.

The case of the Cochrane Iroquois Falls Board of Education is even more reprehensible. Not only has it furthered dissension and ignored the clear recommendations of the languages of instruction commission in the case of the Iroquois Falls school, but where the community spoke

clearly with respect to the formation of a French-language entity in Cochrane, where there was not dissent, where there was not opposition either from the English-speaking group or a portion of the French-language community in Cochrane—and these things had occurred in Iroquois Falls—none the less, the school board dug its heels in and refused to form the entity there as well. That matter is once again before the Languages of Instruction Commission of Ontario.

I do not know what power this minister has, but I know he is very sensitive, as is his deputy minister, to questions about the rights of Franco-Ontarians. Is there some concern about this, and can the minister not bring some pressure to bear on the Minister of Education with respect to the shameful way the assistant deputy minister for francophone services was totally bypassed in the creation of policy for the governance of French schools and, the incumbent having moved on, possibly having quit in disgust, although he has kept his counsel, in the way that position has just simply been left vacant?

Is the minister aware that within the Ministry of Education, the assistant deputy minister for francophone services has no one who responds to him? The curriculum consultants in that ministry and the other people who are responsible for French-language aspects of education have no responsibility to respond to the assistant deputy minister for francophone services. There is a staff of two, a secretary and somebody else. There is no one there. It is pure make-believe, *papier mâché* and nothing more, in terms of what it actually does.

Mr. Boudria: Un homme de paille.

Mr. Cassidy: A man of straw, as my colleague says.

I have to contrast what has happened in education with what has happened in the justice area. We see in the bill proposed by the Attorney General the culmination of about eight or nine years of effort. I guess that began when the present Attorney General took office, and he must get some credit for it. I do not give him credit for everything, but in this area I think he has been forthright and the ministry has kept moving.

With respect to the Ministry of Education, there are now proposals before the House or coming to the House, we are told, with respect to the governance of French schools. These have proven to be unacceptable to the major Franco-Ontarian organization, l'Association canadienne-française de l'Ontario, and

unacceptable to the school boards affected. By any objective standards they promise to create and foment dissension, tension, division and more fighting along linguistic grounds rather than seeking to resolve the basic rights of Franco-Ontarians to be able to control their own schools.

If the ministry and the government were prepared to be more flexible and more adaptable, I think there are a number of things that could be done to ensure that the French-language education situation could now be resolved. Those solutions range from the need for an homogeneous French-language school board in Ottawa to other possible solutions in the Niagara region or in Toronto or in other parts of the province where the density of French-language population is less.

Without having all the encumbrances of administration, I think it is possible to give powers to the French-language advisory committees to run the schools and to give them the resources on an equitable basis compared to the English side of a particular system. In many cases that would be an appropriate kind of answer, but it is certainly not what the Minister of Education is proposing.

This minister is the fellow who can speak up and can enforce, it seems to me, a reasonable solution to these problems rather than the unreasonable and divisive solutions that are now coming forward from the Ministry of Education. The one good part of that statement of policy in the spring was the commitment to the right of Franco-Ontarians to have an education in French. That we support. That should and that will be, I am sure, enshrined some way.

I was glad to hear this minister indicate that it will go forward, whatever happens with the proposals for governance. The government should neither go forward with proposals that are divisive nor use the dispute over the implementation as an excuse to do nothing once again. I suggest a new look is needed and that legislation should be brought forward in time for the spring session of the Legislature.

12 noon

Much has been said about l'Accueil médical francophone. I would just point out that at Doctors Hospital in Toronto, as part of the funding of that hospital under the Ontario health insurance plan, the services provided include social workers, nurses and doctors who speak many of the different ethnic languages of this multicultural city. At the Mount Sinai Hospital, again as part of the OHIP funding,

there is a specific focus on the needs of the Chinese community with social workers, admitting staff and others capable of communicating with the patients and their families in Chinese.

The question I would raise about French-language services is why the devil can that not be provided through OHIP rather than being a kind of add-on service, as in the case of Toronto, which has to be fought for by people like the member for Prescott-Russell (Mr. Boudria), the member for Cochrane North and myself as a spokesperson for Franco-Ontarian affairs in our caucus?

It is not good enough to say there will be funding for another year, although that is a welcome respite. It seems to me that what should be done now is to find ways of working with l'Accueil, which is probably the most appropriate way of reaching out to service more than half a dozen specialist hospitals, and providing that kind of service within the funding mechanisms of OHIP, rather than as a body that has to lobby to survive.

I suggest that the ministry responsible for Franco-Ontarian services in general should be looking at the question of health services in general. Far too little has been done to implement the recommendation of the Dubois report of eight or nine years ago.

In Ottawa, the district health council has just prepared a report on French-language health services. When I talked to them about that the other day, they said, "We are going to present it to the ministry, but we suspect they are going to tell us the money is not there to provide it."

I suggest in general that the ministry should be focusing on such problems as those we had with the Children's Hospital of Eastern Ontario, which is ostensibly bilingual but which is not bilingual in practice, and other institutions such as the Rideau Regional Centre in eastern Ontario which, the last time I was there, was incapable of providing services to the Franco-Ontarian community in its own language.

The minister should be flagging these situations through the ministry and through the co-ordination functions. Perhaps he should be bringing some public pressure to accelerate efforts to ensure that those services are provided.

The final point I want to make is that the government funds a large number of services across the province that are not directly government services. While progress is being made in terms of provincial social services and other means to provide services in French, I do not believe sufficient attention is being given in the

health area, in the social services area or in other areas to ensure that where the government is the source of the major portion of funding for services that are provided to the voluntary sector or by other means, those services also provide in an appropriate fashion for the needs of Franco-Ontarians.

I suggest that matter must now go on the agenda of this ministry at the same time that we move through provincial action to widen the area in which French is recognized as an official language, I hope by the amendment to the Constitution my party would like to see adopted.

Hon. Mr. Wells: Mr. Chairman, I listened carefully to my friend and I am going to take under consideration all the things he has indicated. I do not think he raised any particular questions there. He was really asking rhetorical questions and giving us some suggestions. I guess I could specifically comment on the situation in regard to the governance of French-language school boards.

I have indicated that the Minister of Education hopes to bring forward the legislation that will remove the "where numbers warrant" condition from our legislation and make it a guaranteed condition in Ontario that any francophone student in this province is entitled to education in his or her mother tongue, which in this case would be French.

As to the matter of the governance of school boards, there is no question that proposal has run into opposition from both francophone and school board areas and has to be reworked. The minister has indicated that, and it may take a little longer. I do not want to see the "where numbers warrant" legislation held up on account of that particular ongoing discussion.

I am very aware of what is happening in the Ministry of Education, and as the ministry responsible for French-language services we will again make the point very forcefully that the position of assistant deputy minister for French-language schools should be filled. I am not sure what the problem is in filling it, but as my friend knows, the first incumbent of that position, who I am very pleased to say was appointed when I was Minister of Education, has now gone on to be a very distinguished deputy minister in this government, Gérard Raymond, who is the Deputy Minister of the Environment. That is the calibre of person who should be in that position.

Mr. Stokes: I am glad you moved him out of that entity called the Provincial Secretariat for Resources Development.

Hon. Mr. Wells: He has moved out into active service. The second incumbent was Bert Kipp; he is now the director of education for the Metropolitan Separate School Board of Toronto—

Mr. Grande: You knew that a long time ago.

Mr. Boudria: He resigned last January.

Hon. Mr. Wells: I am just indicating the calibre of people who have held that job. I would underline again that it shows the calibre of people who have occupied that position and where they have now gone. Bert Kipp is now the director of education for the largest school board in Ontario, and that board is here in Metropolitan Toronto. He is an outstanding representative of the Franco-Ontarian community.

The Minister of Education is currently searching for a person of equal calibre to fill that job. We will be encouraging them to do that, to find a person—

Mr. Boudria: He resigned in January.

Hon. Mr. Wells: If my friend would like to talk about the specifics of how they are trying to fill that job and what those problems are, he will have to ask the minister.

Mr. Boudria: I did.

Hon. Mr. Wells: All I can say is I feel they should fill that job as quickly as possible.

I am not going to read into the record about the bicentennial, because we do not have time. I regret the criticism that is coming from some sides of this House about a matter we really should all rejoice in, that we are going to be celebrating the 200th anniversary of this province.

That does not in any way downgrade the settlements that were here before then. Without reading all the quotations, one can look at some from Professor Steven Wise, Professor Emeritus A. R. M. Lower of Queen's University and Dr. Maurice Careless of the history department, University of Toronto, and they indicate that there are some problems with some people's perception. Something happened in 1784—the beginning of a settlement—when it can be said that the Ontario we know today began.

It did not just begin because of those people, but we can pinpoint that part in history and we celebrate together the coming of the people who have come since then. I suggest we all can have a very excellent time if we accept it in that spirit.

I am told that about 554 Ontario communities now have indicated they want to take part in these celebrations.

Mr. McClellan: Anybody will celebrate if you give him money.

Hon. Mr. Wells: The time has come to put aside the academic argument about whether or not it is a bicentennial; we have made it a bicentennial.

Mr. Boudria: You have changed the geography; now you are changing the history.

12:10 p.m.

Hon. Mr. Wells: It is the 200th anniversary of that event when the beginning of the Ontario that we know came about.

Mr. Boudria: It is a bicentennial, give or take a decade. What's 10 years?

Hon. Mr. Wells: It is not a bicentennial, give or take a decade. We celebrated the centennial of Canada in 1967. There were settlements here before 1967.

Mr. Boudria: I am not arguing that, but the British North America Act of 1867 was signed in 1867. The same cannot be said for 1884.

Hon. Mr. Wells: We can have another celebration at some time to celebrate—

Mr. Boudria: There you are; that is what I wanted to get from you. You are celebrating it twice.

Mr. R. F. Johnston: Why not one every four years, just before elections?

Hon. Mr. Wells: I fully expect, and we all hope to be sitting over here—

Mr. Piché: Some of us will be here.

Hon. Mr. Wells: I think all of us. As I look around, all of us who are here today will be here then. We will be here in 1991 to celebrate the 200th anniversary of the treaty that created—

Mr. R. F. Johnston: Is that an election year?

Hon. Mr. Wells: I do not know; I have not looked ahead yet. We will be here to celebrate John Graves Simcoe holding the first parliament in Niagara-on-the-Lake; but right now, it is a very significant thing, I suggest we should all get behind the bicentennial of this province. Members will have a great opportunity, including all my friends on the other side, to go into these 554 communities, many of them in their own ridings, wear the buttons and take part in the bicentennial of Ontario. They should do it proudly because they believe, as I do, in this coming together, which is the whole multicultural-bilingual status of this province.

Mr. Breaugh: Mr. Chairman, just one quick question, and since Ms. Clarkson is with us today, maybe she could explain it. There is an

item in the briefing notes which appears to be in neither of our official languages and I would like an explanation. It says here: "Additional payment of \$3.3"—and I take it to be thousands—"to Paris agent general in lieu of PSSF, as per her contract (S and W); reduction (\$6.5) in employee benefits to reflect the unclassified staff status of the Paris agent general."

What the hell does that mean?

Hon. Mr. Wells: Which page is it on?

Mr. T. P. Reid: On every page of every speech written for you people. It's called baffle gab.

Mr. Breaugh: Page 31 of the briefing notes.

Hon. Mr. Wells: My friend the chairman of the standing committee on public accounts should be used to that terminology.

The member is talking about the third sentence on page 31. It means there is an additional payment of \$3,300 to the Paris agent general in lieu of the public service superannuation fund as per her contract—salaries and wages—and a reduction of \$6,500 in employee benefits to reflect the unclassified staff status of the Paris agent general. It is all very clear to me. I can understand exactly what it means.

The Acting Chairman (Mr. Barlow): I trust the member will remember that so he will not have to ask the question next year.

Hon. Mr. Wells: It merely states that there was a little extra money paid for the public service superannuation fund and for employee wages and benefits.

Vote 601 agreed to.

Votes 602 and 603 agreed to.

On motion by Hon. Mr. Wells, the committee of supply reported certain resolutions.

CONCURRENCE IN SUPPLY, OFFICE OF THE ASSEMBLY

Mr. Stokes: Since Mr Speaker, who is responsible for these estimates, is not present to participate in the debates for the concurrence, might I ask the chair which minister is going to be responsible for chairing these estimates?

The Deputy Speaker: Would the House leader reply.

Hon. Mr. Wells: Mr. Speaker, I bow to my friend's judgement, but the official Speaker of the House is usually the person who is in charge of these estimates.

Mr. Stokes: Is it the government's intention, then, to proceed with these estimates in the absence of the person responsible for chairing them?

Hon. Mr. Wells: If the member would like the Speaker to be here for these estimates, I would be happy to—

Mr. Stokes: No, I am not insisting on that. I want the government House leader to indicate who is going to be responsible for answering my questions and getting involved in the debate.

Hon. Mr. Wells: As my friend knows, we do not have a debate on this; all we do is make speeches on the concurrences. There is no debate, someone winds up for the government. If the member means would I wind up on that matter, I think the answer would be no.

Mr. Stokes: The government House leader means this is just a futile exercise where there is an opportunity to speak on the concurrence motion, but there will not likely be any reaction from anybody over there. Is that what he is saying? Shall we proceed with that understanding?

Hon. Mr. Wells: I do not know whether the other members of this House would like to give me the right to speak on behalf of all of them. These estimates are not like regular estimates. They do not concern any ministry; they concern the Office of the Assembly, all of us. The chairman of the Board of Internal Economy is the Speaker. He is the one who rightly should respond on all our behalf to these, but I do not know of any mechanism by which he can respond in this forum. Perhaps all we can do is register our praise as to how well the Speaker is doing as chairman of the Board of Internal Economy and so forth in this debate.

The Deputy Speaker: If the members would so indicate, I would be happy to leave the chair and sit in my capacity as Deputy Speaker. As the honourable member knows, I did attend the estimates when they were in committee. The Speaker is not able to do it. If the members are prepared to proceed, I am prepared to take part in any of the comments that I might feel I am able to respond to.

Mr. Stokes: I have some things to say on the concurrence motion and I—

Mr. Rotenberg: Say it.

Hon. Mr. Ashe: Speak up.

Mr. Stokes: I fully intend to.

Mr. Breaugh: I think he might handle this all by himself pretty well.

Mr. Rotenberg: He has done it so far.

Mr. Breaugh: Just about as well as you have done so far.

Mr. Stokes: I am not going to be provoked by

the member for Wilson Heights (Mr. Rotenberg). As usual, he shoots from the lip but has very little to contribute to the proceedings in this House.

12:20 p.m.

The Deputy Speaker: May we assume that the critic is in agreement with our proceeding and that it would be appropriate if the government House leader were to attend to the wrapup?

Mr. Stokes: I think he is more knowledgeable than anybody in this House, as government House leader and as a very active member of the Board of Internal Economy. He was not at the estimates, but the Speaker was there and we had a very useful exchange.

I do not suppose many members of this House will ever take the trouble to read what was discussed in the estimates of the Office of the Assembly, so I am going to take advantage of this opportunity to explain to the House what I think we can do by way of improving the Office of the Assembly. Whether the government House leader chooses to get involved in it is a decision he will have to make. Frankly, I hope he does.

The Deputy Speaker: As the member is aware, we have two and a half hours of discussion.

Mr. Stokes: I do not think I will need nearly that long.

The Deputy Speaker: I recognize the member for Lake Nipigon.

Mr. Stokes: This situation highlights the very basic and fundamental problem we have in coming to grips with a very important problem in the way we run the affairs of the Office of the Assembly, this place, as a democratic institution. The members are collectively responsible for the way we conduct our affairs, not only in this assembly but in the committees, which are a very integral and important part of our collective responsibilities in this House.

It also speaks eloquently to the need to have a separation of your responsibilities, Mr. Speaker, and those who share those responsibilities in presiding over the proceedings in this House. In addition to that, there is the way we look after all the administrative detail that falls on the shoulders of the Speaker as the chief presiding officer, the person who is responsible for the enforcement of our standing orders, responsible for the administration of the Office of the Assembly and ultimately responsible for the expenditure of in excess of \$30 million for all the things we collectively have found necessary to

set in place so that we can conduct our affairs in a responsible and responsive nature.

It seems to me what we collectively should be doing is making absolutely certain, not just in theory but in practice, that we have a clear separation and understanding of what this assembly is all about, as opposed to what government is all about in the province. All too often the lines become so blurred, and I am not saying this in a disparaging way, that I think we drift into assuming that as long as somebody is taking care of whatever administrative detail is our collective responsibility all is well with the world.

I do not think that is necessarily the case. Just look at this Legislative Building itself.

I am sure you, Mr. Speaker, as Deputy Speaker and Chairman of the committee of the whole House, see your responsibilities in your new position much differently than you did when you were the member for Mississauga North with some responsibilities for the social development policy field and the youth secretariat. Now that you are sitting there, I hope you see your responsibility shifting dramatically, not as it applies to your constituents, you still have that ongoing responsibility, but in your responsibility to the House.

What about this building? I do not think there is any doubt that when we are in this chamber you, sir, and your two colleagues are charged with the responsibility of upholding and enforcing the standing orders, maintaining decorum and civility, making sure the business of this House is conducted in an efficient manner, making best use of the time that we have allocated to us. But there is also another very basic and fundamental responsibility and that is to make absolutely certain that the decisions made by the Speaker and the Deputy Speaker are clearly seen as being separate from government decisions.

I know that you, sir, have not had sufficient time to make an appraisal of that in your own mind. If you have made a comparison with legislative assemblies generally in Canada and other jurisdictions, I think you will see that in the vast majority of them the legislature is separate from government and totally the responsibility of the Speaker.

That has never been the case in this jurisdiction. If you look back upon it historically, you will see that when government and the membership in this assembly were much smaller, members, the support staff and all of the things we do did not require the amount of space we do now.

As a result of this transition and the growth of

government, the additional responsibilities on members of this assembly generally, as opposed to what was generally perceived or accepted many years ago, have changed very dramatically.

The problem is that we have not changed with the times. It was not too many years ago that the membership in this House was less than 100. It was not too many years ago that we changed from less than 100 to 107 to 117. We are now at 125, and when one talks to the commission responsible for the redefining of electoral boundaries across the province there is a very real possibility that the membership of this assembly will increase yet again.

It is going to require that we change the configuration of this chamber. It may well be that we will have to dispose of these desks as we know them for a bench kind of arrangement. The two ministers who are sitting here will not be as comfortable in sitting here and yet looking after their ministerial responsibilities. There could be a configuration roughly comparable to that of Westminster.

12:30 p.m.

I do not think we will ever be in the position where we will have 640 members and accommodation for only 350, because if they all showed up at once it would be sheer mayhem. The fact remains that in the not too distant future we are going to have to look at a different configuration, perhaps a circular or a horseshoe-type one. We are going to have to accommodate all the members of this assembly in a much different fashion than we are doing now.

It is obvious to me and to anybody who thinks ahead about these things and ponders about the way we do things now, that we cannot even accommodate all our members in this Legislative Building. I do not know the exact numbers but I know there are at least two members of this assembly who do not even have offices in this building. They must journey elsewhere if they want to conduct their ministerial responsibilities. I am sure there are a good many parliamentary assistants who are not accommodated in this building and must park their carcasses elsewhere.

In a previous emanation, I know we had very active discussions with those who are responsible for providing accommodation, not only for us but for government ministries and agencies. Because of restraint and retrenchment, a lot of these things have been put on the back burner.

It seems to me, if we are going to make sure that we, as an assembly and as individual members, are going to continue to be effective

in representing our constituents and being responsible for the expenditure of \$23 billion or \$24 billion a year, responsible for making legislation and for all the things we are collectively responsible for as an Office of the Assembly, we are going to have to decide how we are going to best carry out those responsibilities. This is nothing new, but I think what we are going to have to do is decide whether this Legislature—I am not talking about this assembly, this chamber—this Legislative Building should be dedicated wholly and solely for the members of this assembly.

If any of the members have taken the trouble to look at the colour coding that clearly defines the areas of this building that are the responsibility of the Speaker, as opposed to those areas of this building that do not fall within the purview of the Speaker—I can think of the legislative counsel offices; I can think of all the cabinet offices and all the backup staff for the Office of the Premier, whether they are assisting him in his responsibilities on a daily basis or whether they are licking postage stamps and writing greetings cards for next Christmas—I think the fact remains that, for the first time, we have to decide whether or not this building should be reserved for members to carry out their responsibilities.

It makes no sense that the member for St. George (Ms. Fish) or the member for Durham West (Mr. Ashe) should have to take a 10-minute or 15-minute jaunt from here to meet a delegation when carrying out their responsibilities. They should be accommodated here. Not all of their staff; that is a physical impossibility. However, I think we should have the wit and the will to begin the process of making absolutely certain we provide the types of accommodation and services that are required for every member of this assembly to carry out his or her responsibilities in an effective manner.

Many proposals have been put forward about the north wing being changed, and protecting the cultural integrity of this building while at the same time expanding it in such a fashion as to accommodate all members who have a legitimate right to be here, and really have a responsibility to be here, much closer to the action. We have a collective responsibility to ensure that members have the opportunity to do that.

There have been a number of kites flown about how this can be accomplished. However, during the estimates, the Speaker said clearly that all of those options—all of the planning that had gone on for a number of years—are defi-

nately on the back burner and the status quo will be with us for the foreseeable future.

Mr. Speaker, I do not think that is good enough. I do not know whether it is the responsibility of the Board of Internal Economy, whether it should start with the members' services committee, or whether some other structure should be set in place. The problem is not going to go away. It is going to be further aggravated.

Most members will know that right after the last cabinet shuffle some members of this assembly were no longer holding ministerial positions. There was the fastest shuffle one ever saw to accommodate those members who have a legitimate right to be here. However, in the process, there was an invasion of the domain of the Speaker of this House by literally evicting the Ombudsman's representative from the office on the first floor of the east wing.

Hon. Mr. Ashe: That has nothing to do with the Speaker's jurisdiction. Come on, be accurate.

Mr. Stokes: Oh yes, it has.

Hon. Mr. Ashe: The member had better look at his map again.

Mr. Stokes: I was there. I know.

Furthermore, for the edification of the Minister of Government Services, the Ombudsman and his staff report to this assembly and to the people of Ontario through the Office of the Speaker.

Hon. Mr. Ashe: There is no problem with that. That is not what the member said.

Mr. Stokes: Is there anything more ridiculous and more ludicrous than having a representative of the Ombudsman housed in this building? I am not saying whether he should have been; the fact is he was.

12:40 p.m.

If the Minister of Government Services has played around with the colour coding and has said, "We are prepared out of the goodness of our heart to house an employee of the Ombudsman," something which is clearly the responsibility of the Speaker, this highlights how ridiculous the colour coding and the allocation of space is in this House.

That is what I am trying to impress upon you, Mr. Speaker. I am glad the Minister of Government Services is here because I do not hold him responsible for any of it. How ludicrous the whole process is that we should be arguing about whether this belongs to the Speaker, the Minister of Government Services, the Ombuds-

man or the government. That should not be a problem at all. I realize the historical events that have gone on around here for years. All I am saying is that is clearly not acceptable. I think it is time that we, as an assembly, address those very pivotal and important issues.

I want to go a little further about us assuming what I consider to be our collective responsibility. We know how the Speaker is chosen in this House and we know how the Deputy Speaker and the Deputy Chairman of the committee of the whole are chosen, but how many members of this House know the way in which the Clerk of the House is chosen? It has nothing at all to do with the Office of the Assembly except in an advisory role when the Speaker is consulted from time to time. I know I was never consulted in the time I occupied that position; clearly, I was never consulted.

What about the Ombudsman who is a servant of this House and who assists members in dealing with problems the public has in dealing with government ministries, boards and agencies? He is a distinct emanation of this assembly, and yet we have no say as to who that person is going to be. I am hearing some talk that the acting Ombudsman is going to be confirmed as the Ombudsman. I have heard some talk that Flora MacDonald is being considered for the position. I have heard two or three other names bandied about, but they are not being bandied about by the Board of Internal Economy or by members of this assembly who are responsible for such things.

We have nothing to say about who the Clerk of the House is going to be, who the Ombudsman is going to be, who the chief election officer is going to be or who the chairman of the Commission on Election Contributions and Expenses is going to be. We have to confirm them. We have to pass the moneys that are necessary to pay them and for the carrying out of their responsibilities, but we never have anything to say about them.

One wonders how many members think about that. Is it any way to run a show or any way to run a store? I think we have that responsibility and we should insist on exercising it. Most members who have a heavy work load will be aware we need additional staff to carry out our responsibilities. It is not an immediate problem for members of the executive council. If we, collectively as an Office of the Assembly, do not provide them with the resources, both financial and human, to carry out what we see as their responsibilities, an accommodation can be made

within the ministry. Invariably, that is done, but that is not the case with regard to members of this House generally who are not members of cabinet and the executive council.

Before the member for St. George became a parliamentary assistant and had specific responsibilities for a ministry, because her riding is located so close to Queen's Park I am sure she was inundated with calls from her constituents. This is not because of the demographic makeup of her riding, but because of the closeness of her riding and the accessibility of the member to people who, for whatever reason, insist on her intervention with government ministries, boards and agencies.

I do not know whether the member will want to get involved in this concurrence debate, and I do not presume to speak for her, but from my experience around here, the more accessible the member makes herself or himself, the more onerous is that responsibility for representation.

We have been asking for research assistants for a good number of years. Sure, there is a research component in the moneys we are talking about in these estimates, and it is on a per capita basis, but it is applied globally within the caucuses and there is a research component attached to each of the three caucuses. In large measure those resources and a lot of the time and effort that is spent by those researchers is dedicated to the leaders because of the high profile nature of the responsibilities that a leader has in this assembly.

I commend the estimates and the minutes of the Board of Internal Economy to all members, who will quickly learn that this is something that has been under discussion for a good long while. It is one thing to say each member of this assembly who needs one should have the ability to hire a research assistant. Some of them will not be able to carry out their responsibilities effectively until they get them. Others, owing to the nature of their responsibilities and the way in which they carry them out, will feel they will not need one.

To get back to the point I was making earlier, if it was decided that even half of the members of this House felt the need of a research assistant, I do not know where one would put them. What we are doing is putting the cart before the horse. First, we have to decide the legitimate and affordable resources we should make available to ourselves to carry out our responsibilities more effectively, but do we have the physical capability of accommodating those

people, assuming the allocation of those dollars is legitimate and supportable?

Another area that is our responsibility—and we have at least one committee member here right now who, I am sure, thinks about what his responsibilities are on our behalf in committee—is what we can do to make our committee structure more relevant and meaningful so it will be the kind of extension of this chamber that allows members more closely to scrutinize the billions of dollars we approve in the 26 or 27 ministries that make up this government.

12:50 p.m.

Members will know that by the time we get around to talking about estimates it is pretty much a rehash of things we have said in this House or in committee for many years. It is not an appropriate forum for a close and relevant scrutiny of whether or not we are spending to the best advantage the tax dollars of all the citizens of Ontario. Members will know that by the time we get around to discussing the estimates, whether it be in the Social Development policy field, the Resources Development policy field, the Justice policy field or the General Government policy field, a good deal of those moneys has already been spent.

We can talk about the need for a road here or a road there, the improvement of a certain social program, whether or not we are, in general terms, spending taxpayers' dollars wisely, but by and large, if we want to be fair with ourselves, it is just a forum for us to talk about the state of affairs in Haldimand-Norfolk, Essex county, Waterloo county, Metropolitan Toronto or in eastern or northern Ontario. It has very little to do with the amount of dollars being prayed for and that we have the responsibility of voting in the various estimates.

There are people at the table here and their colleagues who gave a good look at the committee structure. Dr. Graham White showed some leadership, or at least offered some guidance, to the procedural affairs committee in the recommendations they brought in with regard to the changing of the standing orders to make the whole committee structure and process much more relevant.

On the basis of my observations since that exercise began, very little has changed to make our committee structure much more relevant and meaningful. I am not saying this just from the perspective of an opposition member. If we really set our minds to it, we could restructure the whole committee system in such a way that

it would be of assistance to ministries that are receptive to change.

I watch ministers and their staff sitting at those committee meetings and I know they are just as bored with the whole process as we are from time to time. In spite of everything we say and do in committee, we know before we start what the end result is going to be. It is just a political forum for members to spout off about the things we would say in another forum if given the opportunity.

Members will be aware that at one time we used that opportunity during the budget debate that used to go on for weeks in order that members could get up and talk about a variety of items that affected their constituents. We did the same thing in the throne debate for that very purpose. Now in our collective wisdom we have decided that is not the way to go. Budget speeches are now irrelevant; throne speeches are now irrelevant. We are using up the committee time to give our little political speeches about how good or how bad things are back in the boondocks, when I think we could make better use of our time to make sure that the \$24 billion we vote in supply is being used to the best advantage.

I am not saying I have the answers. All I am saying is if we are satisfied with the status quo it speaks eloquently as to the relevance, or might I say the irrelevance, of this place and the way in which we spend our time, expend our energies and, more important, spend our dollars on behalf of the taxpayers of Ontario. I think that is what we should be talking about.

I want to talk a little bit about parliamentary exchanges. I spoke about it in the estimates. I know there is not much travel between this jurisdiction and other jurisdictions across Canada or to Commonwealth or non-Commonwealth countries. However, I think it is very important that we remind ourselves we are in the most affluent jurisdiction in the richest country on the face of the earth. Sure, we have financial problems and we do not have enough money to go around, but we hope this is a temporary aberration. If we can get an upswing in our economy, which I am sure we will, I think we should re-establish the leadership that once was ours for assisting those who are less fortunate, some in the Third World, some within the Commonwealth family, some who were not and are not. We can play a very important role in assisting those jurisdictions that are coming off military juntas.

I can recall the first time we ever had a

delegation from Ghana. It was while they were setting up a constitutional democracy in that country. We had them here as visitors for a week and they got a lot out of the exchange. We were able to assist them not only in apprising them of the way we conduct our affairs in the chair, at the table and in an administrative way, but through discussions they had with our library and research services and with legislative counsel. These are the things I think we do reasonably well—

The Deputy Speaker: Noting the clock, I wonder if I might ask the member whether he expects to complete his remarks or whether this might be an appropriate time to adjourn the debate.

Mr. Stokes: All I am saying is I think we can continue to play a very important role in parliamentary exchanges. I know one of our members is away doing that right now. One of the things I would like to ask is, and I have already asked the Speaker, when members do go away they make a report back so they can share what they have learned with us, and if anybody is coming here and we act as host, whether it is the Minister of Intergovernmental Affairs or the Speaker or some emanation of this assembly, that the ideas, the exchange, the communication be shared with all members. We will all be the better for it.

On motion by Mr. Stokes, the debate was adjourned.

The House adjourned at 1:02 p.m.

APPENDIX

ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

RENABIE MINES

313. Mr. Wildman: Would the Minister of Labour inform the House of the number of inspections done at Renabie Mines near Missanabie in Algoma district in the fiscal year 1982-83 by staff of the mining health and safety branch and provide the date of each inspection? Were any orders issued to the company? If so, what were they and has the company complied with all of these orders? Has a joint occupational health and safety committee been set up at Renabie Mines? [Tabled June 21, 1983]

Hon. Mr. Ramsay: 1. Twenty-one.

2. The dates of the inspections are as follows: 1982—April 4, May 20, June 30 (two inspections), August 18, August 19, September 9,

September 23, September 30, October 27, October 28, November 25 (two inspections).

1983—January 20, January 21, February 16 (two inspections), February 17, March 1, March 16, March 17.

3. Yes.

4. The orders issued are as follows:

(a) Thirty-nine orders issued under section 64(1) Regs.—A work place shall be made safe by scaling, timbering, rock-bolting or by other measures.

(b) Ten orders issued under section 52(2) Regs.—An opening in a floor or other surface shall be protected by a guardrail or securely covered.

(c) Four orders issued under each of section 244(1)(a) Regs.—A work place shall be ventilated by an auxiliary ventilation system; section 13(1) Regs.—A worker exposed to falling more than three metres shall wear a fall arrest system.

(d) Three orders issued under each of section 27(1) Regs.—Flammable refuse shall be in fire-resistant containers and removed at least once a week; section 186(9) Regs.—Oxygen and acetylene cylinders shall have valve protection covers in place; section 215 Regs.—A tugger hoist shall be properly maintained; section 244(1) Regs.—Fresh air shall be provided to remove contaminants; section 245(1) Regs.—Unventilated areas shall be barricaded and posted.

(e) Two orders issued under each of section 26(1)(a) Regs.—Suitable fire extinguishing equipment shall be provided; section 41 Regs.—The requirements for handling dangerous or flammable materials underground; section 52(1)(b)(d) Regs.—Walkways shall be kept clear of obstructions and material; section 113(1) Regs.—A stop block is required when dumping from trucks;

Section 185(5) Regs.—Requirements of grinders; section 186(6) Regs.—Welding and burning equipment shall be protected from fire and sparks; section 243(1)(b) Regs.—A mechanical ventilation system shall dilute and remove contaminants; section 251 Regs.—A battery charging station shall be ventilated.

(f) One order was issued under each of section 14(2)(g) Act—Employer to take every precaution to protect the worker; section 17(1) Act—Requirements of the worker; section 29(4)(b) Act—An inspector can stop work; section 6 of lead and mercury regulations requiring employer to make assessment for lead and mercury in the work place; section 26(2) Regs.—Fire suppression systems are required in fuel storage areas and garages;

Section 34(3)(4) Regs.—Requirements for doing

hot work; section 39(5)(b) Regs.—Fire suppression systems to be checked monthly; section 57 Regs.—All hazardous openings to be fenced or guarded; section 69 Regs.—Underground shaft or raise to be guarded; section 76 Regs.—Lifting hooks to have safety latches; section 100(1) Regs.—Requirements of a trackless motor vehicle;

Section 117(2) Regs.—No smoking near explosives magazines; section 120(b) Regs.—A storage container for explosives to be in a safe location; section 124(4)(5)(6) Regs.—Requirements for handling detonators, explosives and defective explosives; section 129 Regs.—Requirements for preparation of areas to be drilled; section 144 Regs.—Requirement for blasting cables; section 148(1) Regs.—Electrical installations to meet requirements of Canadian Electrical Code Part 1;

Section 150 Regs.—Defective or unused wiring be removed or capped; section 157(1) Regs.—Requirements of electrical mobile equipment; section 176(3)(a) Regs.—Ventilating air to be 0.06 cubic metres per second for each brake kilowatt of the diesel unit; section 185(1)(4) Regs.—Requirements of adjusting grinder and operator to wear eye protection; section 186(3) Regs.—Workers to be protected from welding arcs or fumes;

Section 186(7) Regs.—Welding and burning equipment to be free of leaks or defects; section 224(1) Regs.—Requirements of a cage; section 243(1)(a) Regs.—Requirements of a mechanical ventilation system; section 248 Regs.—Rock and ore to be thoroughly wetted by water when being loaded.

5. Yes, the company has complied with the orders.

6. Yes.

PURCHASES FROM CONSOLIDATED-BATHURST

314. Ms. Copps: Would the Minister of Government Services please provide an inventory of all government expenditures for products supplied directly or indirectly by Consolidated-Bathurst? [Tabled June 21, 1983]

Hon. Mr. Ashe: The following ministries did not purchase any products directly or indirectly from Consolidated-Bathurst during the period April 1, 1981, to June 21, 1983:

Office of the Premier and Cabinet Office, Provincial Secretary for Justice, Provincial Secretary for Social Development, Provincial Secretary for Resources Development, Ministry of the Attorney General, Ministry of Citizenship

and Culture, Ministry of Colleges and Universities, Ministry of Community and Social Services, Ministry of Consumer and Commercial Relations, Ministry of Correctional Services;

Ministry of Education, Ministry of Energy, Ministry of the Environment, Ministry of Government Services, Ministry of Industry and Trade, Ministry of Intergovernmental Affairs, Management Board of Cabinet, Civil Service Commission, Ministry of Northern Affairs, Ministry of Revenue, Ministry of the Solicitor General, Ministry of Tourism and Recreation, Ministry of Treasury and Economics, Minister without Portfolio Honourable Bud Gregory, Minister without Portfolio Honourable Robert Eaton.

The following ministries did purchase products directly or indirectly from Consolidated-Bathurst during the period April 1, 1981, to June 21, 1983.

Ministry of Agriculture and Food

Product	Cost
Corrugated containers.	\$ 1,547.08
Corrugated containers.	318.79
	<u>\$ 1,865.87</u>

Ministry of Health

Product	Cost
6,000 cardboard boxes.	\$ 2,205.00
820 cardboard boxes.	351.46
	<u>\$ 2,556.46</u>

Ministry of Labour

Product	Cost
Packaging materials.	\$ 756.29

Ministry of Municipal Affairs and Housing

Service	Cost
Packing boxes.	\$ 1,822.00

Ministry of Natural Resources

Goods or Services	Cost
Postage of weigh scale slips ...	\$ 40.36
Metric conversion of	
weigh scales.	5,000.00
Use of Gillies Road.	1,800.00
Use of Gillies Road.	1,800.00
Postage of weigh scale slips ...	7.99
Postage of weigh scale slips ...	37.07
Planting white pine stock.	8,250.00
Planting white pine stock.	20,990.55
Use of Gillies Road.	1,800.00
Use of Gillies Road.	1,800.00
	<u>\$ 41,525.97</u>

Goods or Services	Cost
4,000 bags.	\$ 3,526.60
1,000 bags.	797.90
6,600 bags.	5,395.17
8,000 bags.	5,491.24
10,500 bags.	7,207.26
12,000 bags.	8,060.40
10,500 bags.	7,052.85
16,500 bags.	11,285.18
16,500 bags.	11,285.18
30,575 bags.	19,613.86
21,598 bags.	17,802.15
	<u>\$ 97,517.79</u>
	<u>\$139,043.76</u>

Ministry of Transportation and Communications

Product	Cost
Cartons.	\$ 3,132.38
Total.	\$190,702.73

The total expenditure by all government ministries for products supplied directly or indirectly by Consolidated-Bathurst during the period April 1, 1981, and June 21, 1983, is \$190,702.73.

TRIPS OUTSIDE CANADA

315. Mr. Foulds: (a) Would each ministry outline the number and destination of all trips taken outside of Canada by the minister, the deputy minister and the assistant deputy ministers at public expense since September 1982? Would the ministry outline the members of staff and any non-ministry personnel who accompanied the minister, the deputy minister and the assistant deputy ministers on any of these trips? Would the ministry indicate the purpose and cost of each trip headed by the minister, deputy minister or assistant deputy minister? How many direct jobs have been created in Ontario to date as a result of each trip?

(b) Would each ministry supply the same information for the chairman, president or chief executive officer for each of the crown agencies, boards, commissions or corporations under its jurisdiction? [Tabled October 12, 1983]

Hon. Mr. McCague: To assemble the information requested would require the expenditure of considerable time and the diversion of efforts from present assignments. The information in question concerns expenditures undertaken by various ministries and secretariats and may be sought through each individual ministry's regular estimates process. The honourable mem-

ber is also encouraged to refer to volume 3 of the Public Accounts of Ontario.

TRIP TO FAR EAST

317. Mr. Conway: How many people accompanied the Premier on his recent trade mission to the Far East? Who from the private sector went along on this trade mission? (names, corporations, addresses)? How many people from the Premier's staff and the Ontario civil service went along on this trip? Who were they? What costs were incurred by the provincial government for this trade mission in terms of (a) accommodation; (b) meals; (c) hospitality; (d) travel, including air and ground travel? Did the provincial government pay any bills not included in the above? If so, what were they? [Tabled October 14, 1983]

Hon. Mr. Davis: The following members of the Premier's staff and the public service accompanied the Premier: Dr. E. E. Stewart, Mr. Lynn Hilborn and Mr. Denis Massicotte. In addition, Mrs. Davis and two security officers were with the group.

At various stages a number of businessmen, in company with the Honourable Frank Miller, participated in the visit:

1. Frank Walsh, president, Altosar Corp., 170 Advance Boulevard, Brampton, Ontario, L6T 4J4.

2. Stephen Lukas, president, Capsule Technology International, 2001 Huron Church Road, Windsor, Ontario, N9C 2L6.

3. Clive E. Milo, general manager, Edwards International, 6465 Airport Road, Mississauga, Ontario, L4V 1E4.

4. Ray Harvey, president, Fenco Engineers Inc., 33 Yonge Street, fifth floor, Toronto, Ontario, M5E 1E7.

5. Roy Hints, president, Intercommerce, 6468 Dundas Street West, Suite 224, Toronto, Ontario, M9B 6E3.

6. Art Bond, regional sales manager, Southeast Asia, Interimco Projects Engineering Corp., Carling Square 1, 560 Rochester Street, Ottawa, Ontario, K1S 4M2.

7. Thomas H. Savage, president, ITT Industries of Canada Ltd., PO Box 138, Toronto Dominion Centre, Royal Trust Tower, Toronto, Ontario, M5K 1H1.

8. Dennis J. Hawley, president, Konvey Construction Co. Ltd., PO Box 520, Milliken, Ontario, L0H 1K0.

9. A. J. G. Leighton, president, Leighton and Kidd Ltd., 121 Kennedy Avenue, Toronto, Ontario, M6S 2X8.

10. Bill Marlow, vice-president marketing, Manley Steels Ltd., 211 Bowes Road, Concord, Ontario, L4K 1H8.

11. Wiley Freeman, senior partner, Matsui Baer Vanstone Freeman, 3 Church Street, Toronto, Ontario, M5E 1M2.

12. Jon E. King, international sales manager, Tribar Industries, 3650 Weston Road, Unit 17/18, Weston, Ontario, M9L 1W2.

13. Danny Tang, director, The Zarex Business Centre, 2 Bloor Street West, Suite 2300, Toronto, Ontario, M4W 3E2.

14. C. R. Kremp, vice-president, corporate banking, Bank of Montreal, First Canadian Place, Toronto, Ontario, M5X 1A1.

15. Iain McCallum, sales manager, Intercommerce, 6468 Dundas Street West, Suite 224, Toronto, Ontario, M9B 6E3.

16. Mike Burns, president, Metro Canada International Ltd., 19th Floor, 999 West Hastings Street, Vancouver, British Columbia, V6C 2W2.

17. Kirk Foley, president, Urban Transportation Development Corp. Ltd., 2 St. Clair Avenue West, Toronto, Ontario M4V 1L7.

18. R. Robert Ross, vice-president finance, Urban Transportation Development Corp. Ltd., 2 St. Clair Avenue West, Toronto, Ontario, M4V 1L7.

Finally, Mr. and Mrs. E. A. Goodman accompanied the Premier, entirely at their own expense.

It is impossible to provide the costs incurred as accounts have yet to be submitted in this regard.

RESPONSE TO PETITION

RENT CONTROL

Re sessional paper 100, Rent Increases in Elliot Lake:

Hon. Mr. Elgie: With reference to the petition presented to the Legislative Assembly by Mr. Bud Wildman, MPP, it must be noted that when presenting this petition to the Legislative Assembly, Mr. Wildman pointed out that most of the residential properties concerned were built after 1976 and are therefore currently exempt from the rent review process.

In order to provide a solution to the problems facing landlords and tenants, Mr. Stuart Thom's Commission of Inquiry into Residential Tenancies is examining the entire question of rent review and will address any inequities in the current system. One of the issues the ministry anticipates that he will deal with is the inclusion/

exclusion criteria for the rent review process. His first report is due before the end of this year so that the government may act without undue delay on his initial findings.

While I appreciate the concerns of the petitioners regarding the proposed rent increases, there is no action which can be taken at this time, in this connection.

CONTENTS

Friday, October 28, 1983

Oral questions

Andrewes, Hon. P. W., Minister of Energy:	
Hydro reactors , Mr. Peterson, Mr. Foulds.	2549
Hydro reactors , Mr. Peterson, Mr. Foulds.	2552
Bennett, Hon. C. F., Minister of Municipal Affairs and Housing:	
Disaster relief , Mr. G. I. Miller.	2556
Bernier, Hon. L., Minister of Northern Affairs:	
Extended care facility , Mr. T. P. Reid.	2557
Davis, Hon. W. G., Premier:	
Contract tenders , Mr. Peterson, Mr. Foulds.	2547
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:	
Rent control , Mr. McClellan, Mr. Epp.	2552
Residential tenancies legislation , Mr. Ruprecht.	2555
Fish, Hon. S. A., Minister of Citizenship and Culture:	
Royal Ontario Museum advertisement , Mr. Foulds.	2557
McCaffrey, Hon. B., Provincial Secretary for Social Development:	
Social Assistance Review Board , Mr. R. F. Johnston, Ms. Copps.	2548
Group home accommodation , Mr. Wrye, Mr. R. F. Johnston.	2553
Elderly persons centres , Ms. Bryden, Mr. Wrye.	2554
Ramsay, Hon. R. H., Minister of Labour:	
First contract negotiations , Mr. Cassidy.	2556
Welch, Hon. R. S., Deputy Premier and Minister responsible for Women's Issues:	
Equal opportunities for women , Mr. Foulds, Mr. Wrye, Ms. Bryden.	2550

Petitions

Inflation restraint legislation , Mr. Boudria, Mr. Foulds, tabled.	2558
---	------

Reports

Standing committee on resources development , Mr. Barlow, tabled.	2558
Standing committee on administration of justice , Mr. Kolyn, tabled.	2558

First readings

Corporations Information Amendment Act , Bill 102, Mr. Elgie, agreed to.	2559
Extra-Provincial Corporations Act , Bill 103, Mr. Elgie, agreed to.	2559

Committee of supply

Estimates, Ministry of Intergovernmental Affairs, Mr. Boudria, Mr. Wells, Mr. Piché, Mr. Cassidy, Mr. Breaugh, agreed to.	2559
--	-------------

Concurrence in supply

Office of the Assembly, Mr. Stokes, Mr. Wells, adjourned.	2570
--	-------------

Other business

Withdrawal of bill, Mr. Kennedy.	2547
Adjournment.	2575

Appendix**Answers to questions in Orders and Notices**

Ashe, Hon. G. L., Minister of Government Services:	
Purchases from Consolidated-Bathurst, question 314, Ms. Copps.	2576
Davis, Hon. W. G., Premier:	
Trip to Far East, question 317, Mr. Conway.	2578
McCague, Hon. G. R., Chairman, Management Board of Cabinet:	
Trips outside Canada, question 315, Mr. Foulds.	2577
Ramsay, Hon. R. H., Minister of Labour:	
Renabie Mines, question 313, Mr. Wildman.	2575

Response to petition

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:	
Rent control, Mr. Wildman.	2578

SPEAKERS IN THIS ISSUE

Andrewes, Hon. P. W., Minister of Energy (Lincoln PC)
Ashe, Hon. G. L., Minister of Government Services (Durham West PC)
Barlow, W. W., Acting Chairman (Cambridge PC)
Bennett, Hon. C. F., Minister of Municipal Affairs and Housing (Ottawa South PC)
Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)
Boudria, D. (Prescott-Russell L)
Bradley, J. J. (St. Catharines L)
Breagh, M. J. (Oshawa NDP)
Bryden, M. H. (Beaches-Woodbine NDP)
Cassidy, M. (Ottawa Centre NDP)
Copp, S. M. (Hamilton Centre L)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Davis, Hon. W. G., Premier (Brampton PC)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Epp, H. A. (Waterloo North L)
Fish, Hon. S. A., Minister of Citizenship and Culture (St. George PC)
Foulds, J. F. (Port Arthur NDP)
Grande, T. (Oakwood NDP)
Johnston, R. F. (Scarborough West NDP)
Jones, T., Deputy Speaker and Chairman (Mississauga North PC)
Kennedy, R. D. (Mississauga South PC)
McCaffrey, Hon. R. B., Provincial Secretary for Social Development (Armourdale PC)
McClellan, R. A. (Bellwoods NDP)
Miller, G. I. (Haldimand-Norfolk L)
Peterson, D. R. (London Centre L)
Piché, R. L. (Cochrane North PC)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
Reid, T. P. (Rainy River L-Lab.)
Rotenberg, D. (Wilson Heights PC)
Ruprecht, T. (Parkdale L)
Stokes, J. E. (Lake Nipigon NDP)
Turner, Hon. J. M., Speaker (Peterborough PC)
Welch, Hon. R. S., Deputy Premier, Minister responsible for Women's Issues
and Minister of Energy (Brock PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wrye, W. M. (Windsor-Sandwich L)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament
Monday, October 31, 1983

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, October 31, 1983

The House met at 2 p.m.

Prayers.

PRINTING OF LEGISLATIVE PAPERS

Mr. Speaker: On Thursday, October 27, the member for Sudbury East (Mr. Martel) asked as a point of privilege for information concerning the printing of the bills, Orders and Notices, Votes and Proceedings and daily business sheets by Noble Scott Co. Ltd. while there is a strike at its plant.

I should point out that this matter does not constitute a matter of privilege or a point of order as it does not affect any of the recognized privileges of the House, nor does it indicate anything out of order in the procedure of the House. However, as it is a matter of great interest to the House, I felt I should make an explanation, as I had indicated I would.

On Thursday, October 20, the pressmen at Noble Scott went out on strike. The strike was called by Local 10 of the pressmen's union, which was engaged in negotiating a contract with the Council of Printing Industries which represents 14 employers. The strike was called in two of the 14 plants; namely, Carswell and Noble Scott.

The strike has closed down the operation of the presses but has not extended to the employees engaged in the typesetting and other functions in the plant. Consequently, Noble Scott is continuing typesetting with its normal union staff. They do not produce the press work and consequently the normal printing and public distribution of the House documents is suspended.

However, Noble Scott assures us it is able to supply a limited number of copies, sufficient to supply the assembly and its offices by a photocopying process involving only nonstriking regular staff and not involving any procedure that is in the jurisdiction of the striking staff.

Mr. Martel: Mr. Speaker, on a point of order, privilege or whatever you want to call it: As a member here, I feel that if we are contributing in any way—

Mr. Speaker: Perhaps a point of interest.

Mr. Martel: In fact, we are contributing towards strikebreaking by the purchasing of

those materials from that company. I think we should discontinue that until the strike is finalized. I would ask the Speaker to consider doing so or calling a board meeting so we can discuss it.

Mr. Speaker: Obviously, the member for Sudbury East did not hear what I said. I am assured by legal counsel that we are not engaged in anything even remotely resembling strike-breaking.

ORAL QUESTIONS

FUNDING OF TRANSITION HOUSES

Mr. Peterson: Mr. Speaker, I am surprised the Minister of Energy (Mr. Andrewes) does not have a statement today. Questions are accumulating that I am sure he will feel obliged to answer shortly in this House.

I will ask a question of the Minister of Community and Social Services (Mr. Drea) or his surrogate in the House. The minister is no doubt aware of the report of the standing committee on social development on wife battering and the fact that we in this House, and indeed across this province, are waiting for a response from his ministry.

One of the key recommendations was that funding for interval and transition houses should be transferred to a block-funding basis as opposed to the current irregular way of funding. Why would the ministry of which he is temporarily in charge not have responded already to meet the crisis in funding that is developing right across the province?

Hon. Mr. McCaffrey: Mr. Speaker, that is an important question. As the honourable Leader of the Opposition knows, the delay in responding can best be accounted for by the fact that a number of ministries have a number of terribly important initiatives in this area on which we place the highest priority. It has at the very least required an inordinate amount of co-ordination with regard to funding and a variety of other things. I think the government is now in a position this week to make the response that has been requested.

Mr. Peterson: I gather the minister just told me he is going to respond this week and I will

welcome a response. I hope he is personally aware of and will factor into his response the crisis that is developing in a number of centres around the province.

The Women's Centre in Owen Sound will probably be closed down very quickly. Avoca House in Eganville only has enough funds to remain open for another five weeks. Bernadette McCann House in Pembroke has laid off all its staff and is only running day to day on volunteers. The Women in Crises Centre in Sault Ste. Marie has had to dip into its mortgage fund and will not be able to carry on very much longer. Mainstay House in Fort Frances has already closed and probably will not be reopened, barring some emergency relief.

The point I am trying to make and which I ask the minister about is that since it is a crisis, would he not agree with me that time is very much of the essence? Will he in his response bring in programs to deal with those crisis situations immediately rather than have some program coming into effect a year or two from now?

Hon. Mr. McCaffrey: Yes, that is absolutely correct. When I say there is urgency on it, if all goes well at a meeting that is scheduled for later this afternoon, it will put us in a position where the government will be able to make all those detailed responses tomorrow. That is the objective.

Mr. Rae: Mr. Speaker, can the minister tell us why, up until the present, the government has rejected the concept of block funding? Is it still the view of the ministry that block funding is not the way to go? How can he justify that, given the unanimous opinion of the standing committee on this very important question with respect to security of funding over a period of time for these centres?

Hon. Mr. McCaffrey: Mr. Speaker, I think one of the last issues to be ironed out deals specifically with that, and I hope it will be done later today.

I might just say there are some substantive reasons for avoiding block funding as an alternative, but all those issues will be addressed in detail, I hope, tomorrow. Most assuredly, it is our target that all appropriate statements and detailed statements in this critical area will be made this week.

Ms. Copps: Mr. Speaker, am I to understand that the minister in his answer to the supplementary is backpedalling on the issue of block funding? I can understand the problem of

co-ordination, which the minister referred to in his reply to the question from my leader, but on the issue of block funding there was clear-cut, unanimous support from all members of our committee as to the block-funding decision being a decision to be made exclusively by the Minister of Community and Social Services.

2:10 p.m.

Why is there difficulty with co-ordination on that question when the minister unilaterally decided last summer to develop a program for \$1.6 million in capital funding for new transition houses across the province when, at the same time, his ministry was well aware there were transition houses across this province literally hanging on by the skin of their teeth?

Hon. Mr. McCaffrey: Mr. Speaker, I cannot say funding has not been an important ingredient in the discussions, of which there have been four or five per week in the last number of weeks. As a government, we are terribly anxious to respond in detail to all of this. Funding has not been the only issue. It has been a question of the form of the facilities—I say facilities rather than institutions—that can best be made available to help women in need.

I guess it is obvious there has been some legitimate debate about whether institutions, as some transition houses might best be described, are the best way to go, or whether there are other community facilities where immediate help can be provided, perhaps without having to deal with core funding.

RETAIL SALES TAX

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Revenue. The minister is no doubt aware of the history of the famous Miller hamburger budget when he taxed everything that moved and everything that one consumed in this province. It led to a series of discussions with the mobile caterers, as he will recall, in regard to the many thousands of people he turned into tax collectors in this province. At that time an agreement was negotiated whereby they would pay some 3.5 per cent of their full sale purchases to prevent them from having to charge and collect tax on every single sale. Subsequently, that was moved to five per cent.

In a time of restraint, and his government is talking a great deal about restraint, is he contemplating elevating that wholesale levy to nine per cent, which would have a highly inflationary effect on the prices charged by those mobile caterers?

Hon. Mr. Gregory: Mr. Speaker, as the Leader of the Opposition well knows, any policy regarding taxes is a result of the budget of the Treasurer (Mr. Grossman). At this point I would not like to venture an answer, but I will get back to him after a discussion with the Treasurer.

Mr. Peterson: The minister is the collector and the agreement was negotiated. He is now by way of regulation, not through any device in this House, attempting to raise those taxes. That is the reality. The minister becomes involved whether he likes it or not, or whether he would like to blame it on the Treasurer or not.

Being the good believer in restraint that he is and the good free enterpriser he is, would he not agree that this round of taxation would be highly inflationary? Is he aware that, for example, the average cup of coffee from one of those mobile trucks would go from 40 cents to 45 cents because of rounding? A package of gum could go from 40 cents to 45 cents, a chocolate bar from 50 cents to 60 cents, and a sandwich from perhaps \$1.60 to \$1.75—increases in retail prices in the order of 10 per cent.

Would the minister not agree with me that when his government is talking about a restraint program—who knows what that is, but let us say it is five per cent—if he initiated any change in regulations that drove prices up more than five per cent, he and his government would be contributing to inflation, not preventing it?

Hon. Mr. Gregory: Yes, I would not necessarily agree with the member. If, as he said, an increase of this amount would change the price of a cup of coffee to 55 cents, rounding it off, then apparently it is not only the taxation department that is getting more money, but part of that increase would have to come to the wholesaler or retailer himself.

With regard to the initial thrust of the member's question, I have to refer him back to my answer in the first place. I will need to discuss this with the Treasurer and I will get back to him.

Mr. Breaugh: Mr. Speaker, I wonder if the minister would undertake to put this proposed regulation before the Inflation Restraint Board before it is implemented.

Hon. Mr. Gregory: I believe they all go. I will not give the member an answer at the moment, but I will get back to him.

Mr. Peterson: That is something else to get back to us on.

The minister is aware that the tax is now

levied through the commissaries where most of the mobile caterers buy their goods for distribution. He is aware that we are dealing with roughly 35 of them in the city of Toronto, and there is a distinct possibility that if he goes ahead to levy these taxes there will be a breach of agreement. The minister will be turning everybody into a tax collector; he will be substantially complicating the lives of these small businessmen; he will be turning them all into retail tax collectors and putting an undue hardship on them.

Mr. Speaker: Question, please.

Mr. Peterson: Surely the minister would agree with me that it is his responsibility to keep these independent businessmen alive. Would he not agree to review this entire policy and not proceed with that tax increase?

Hon. Mr. Gregory: As the Leader of the Opposition well knows, anyone who is a tax collector for the province of Ontario is paid for that service. One might say that by adding another tax collector to the rolls we are increasing the earning power of that body.

NUCLEAR ENERGY

Mr. Rae: Mr. Speaker, I have a question for the Premier concerning Ontario Hydro. I am sure he is aware of the agreement that was signed 20 years ago by Atomic Energy of Canada Ltd., Hydro and the government of Ontario—the so-called Pickering agreement—which states: "Whereas economic risks still exist in view of incomplete full-scale plant experience . . ."

I wonder if the Premier would not agree, given the design flaws that now appear to be plaguing the system, that economic risks are still being experienced. Given the economic risks we are experiencing today from the Pickering design flaws, I wonder if the Premier would care to justify the government's decision to go to nearly 70 per cent reliance on nuclear power by 1993.

Hon. Mr. Davis: Mr. Speaker, I will not get into a debate on the figures and just what the percentage of power produced in Ontario will be in that particular year.

I totally understand that the New Democratic Party is opposed to the generation of electrical energy from a nuclear source. I think it is interesting, though, now that I have been given the opportunity to reflect for a moment or two on the history of nuclear energy in Ontario, to remind the leader of the New Democratic Party

that in spite of some, I think, comparatively modest difficulties in the past few months, the units at Pickering, which have been on stream now really for many years, have performed competitively on an international basis. I think unit 1 was probably first or second in the world in efficiency and other units at Pickering have certainly been competitive on an international basis. Most people who are knowledgeable in the industry—these are the objective observers—are inclined to suggest, with respect, that the Candu system is probably superior to its competitors.

I know the leader of the New Democratic Party has a certain philosophical association with the government of France. I understand that, I respect it and I do not quarrel with it. It is interesting to note that in that country, even under that government, there has been a rather substantial commitment to the generation of electrical energy from that particular source.

I am always intrigued when we get into discussions of this nature, where concerns are raised on certain environmental issues. I know the leader of the New Democratic Party, when he happens to be in certain regions of Ontario, is always inclined, as are his colleagues on either side of him, to remind people of the problems that we as a government have been identifying, and providing leadership on, with respect to acidic precipitation. I think he must know, even in his less lucid moments, that there is no acidic precipitation as a result of the use of the nuclear option.

2:20 p.m.

I think we have to keep these matters in perspective. I was intrigued at the series of articles in the Toronto Star over the weekend related to Ontario Hydro. I will not sum up those articles for the member, but I will remind him of something else. Internationally, Ontario Hydro is probably one of the most efficient of utilities anywhere in the world. It is generating electricity at a price that is competitive. My recollection is that it is three and a half times cheaper than the state of New York; it is cheaper than the state of California, the state of Florida, you name it; it is cheaper than most utilities in western Europe.

The member can be critical of the nuclear option. I just remind him that his party used to have a seat in Cambridge. It does not have that seat any more, because the people up there understand that if his party were ever in power, there would be thousands of people out of work in that community.

Mr. Rae: It really is a pity we do not have simultaneous translation in this House, because that might help to clarify exactly what the Premier is saying. The fact is that under his leadership and under the management of the Tory party, Ontario stands virtually alone in the world in relying exclusively on one form of electrical generation for its future electrical needs; and that is playing fast and loose and recklessly with the economy of this province, whether it is a question of jobs or whether it is a question of costs.

Mr. Speaker: Question, please.

Mr. Rae: Given the number of breakdowns that have occurred and the cost of replacement fuel, will the Premier not agree that his government has managed to create the worst of both worlds? We are paying the capital costs of a nuclear system and the operating costs of expensive fuel to substitute for the nuclear power we cannot use because the system is in a state of breakdown at the moment with respect to many of its reactors.

I simply ask the Premier to comment on that and to justify again the decision of his government to go to a system of electrical generation that stands almost alone in the world in terms of its reliance on one form of power instead of a balanced approach, which would provide far more jobs in Ontario than the approach his government is following today.

Hon. Mr. Davis: With great respect, the balanced approach the member recommends would not provide additional jobs or more jobs in Ontario. It might generate a little more economic activity in the coal fields of West Virginia, Virginia and Pennsylvania. I know that would suit him, but it does not suit me. I know he thinks it might generate the consumption of natural gas from our sister province of Alberta; that, to me, is not a credible option.

I say with the greatest of respect, this province never apologizes for being a world leader. I know that leadership is anathema to the member; he is always reluctant to assume any form of leadership. But I will just remind him that, first, I do not think his figures are totally correct and, second, when one looks at balance in relation to the performance of Ontario Hydro with the Candu system, it meets any competition anywhere in the world. The member tends to ignore that. He tends to ignore its record of accomplishment.

I understand the politics of this. I understand his aversion to the use of nuclear energy for

electrical generation. I know that if he had the responsibility, he would never have started Darlington and he would not have started Bruce. There would be no nuclear industry in Ontario. We would not have this technology available to us. He would go back to the Dark Ages, if he were Premier, and I intend to see that that does not happen.

Mr. Peterson: Mr. Speaker, the Premier will be aware that one of the very serious questions that people concerned with Hydro are asking now relates to its ability to inspect and to understand the nature and extent of some of the problems that have been developing, particularly in the past three months or so. I am sure the Premier will agree that at this point we do not know the answers to some of those problems. We are pursuing technical solutions to those problems at present.

Is he concerned about the lack of ability to inspect these reactors from a technical point of view, the same kind of concern that caused problems with licensing in Europe? And the Premier will be aware that we have sold only one Candu reactor in Europe, in Romania. Mr. K. P. Gibbs of Motor-Columbus Consulting Engineers Inc. in Baden, Switzerland, in a paper entitled *Some European Licensing Requirements of Relevance to Candu*, expressed this concern and said that one of the reasons Europeans were not anxious to pursue this was that lack of ability to inspect.

Is the Premier aware of that and does he share those same concerns?

Hon. Mr. Davis: Mr. Speaker, I just hope the gentleman the Leader of the Opposition is quoting has a little more knowledge and understanding than his other expert on energy. But I only pass that on as a casual observation, because I did want to remind the honourable member that another tar sands project has been approved even since that quote from his researcher.

I will just quote Phil Bates, the assistance vice-president, international ratings group, at Standard and Poor's:

"Ontario Hydro is a self-supporting utility with good financial performance. It's neutral as far as the province's triple-A rating is concerned. It neither brings it up or down. Ontario Hydro's cost overruns on nuclear construction have not been nearly as high as the overruns in the US, and the performance of Candu, despite recent troubles, has been excellent."

Interjections.

Mr. Speaker: Order. This is deteriorating into a debate.

Mr. Rae: I wonder whether the Premier, given—

Interjections.

Mr. Speaker: Order. The member for York South has the floor.

Mr. Rae: The Premier will be aware that Pickering was originally started, in a sense, as a pilot project, which was to be the model for all the other reactors that were to be built in the system. The point of what has happened in the past few months is that this project is now experiencing certain difficulties that may have major implications for the rest of the system with respect to design, with respect to what has happened to the pressure tubes, with respect to the problem of garter spring migrations that have turned up elsewhere and with respect to problems with heat exchangers causing heavy water spills.

Using the simple test of economic prudence, how does his government justify going flat out towards an almost uniquely nuclear system? Talk about balance in a system; they are the ones who are creating a total imbalance in the system. How does the Premier justify that on grounds of economic prudence alone, given the problems that are now being experienced and given the implications those problems may have for the rest of the system? How can he justify that, given the costs and given the cost of substitute fuel at present?

Hon. Mr. Davis: Of course, the question itself is a contradiction, because the member talks about the cost of substitute fuel and he knows that the cost of substitute fuel is higher than the initial cost of the nuclear option.

We get back to the position of the New Democratic Party. I understand it; it is caught up in other emotional issues that they entertain, and I do not quarrel with those either. I know this is all part of their general outlook on the world community, and some of their views some of us might happen to share. Their options on how they intend to deal with others who are not quite as co-operative on this issue in other parts of the world, of course, I will not comment on here in this House. I say that very kindly to the member for Scarborough West (Mr. R. F. Johnston).

But they are not going to con me into saying that the nuclear option for efficient, safe delivery of electrical energy to the people of this province is not a credible option. We have had some

difficulties in the past few months with respect to Pickering. We also have a 15- to 20-year time frame in which those reactors have performed extremely well and where the people of this province have had the benefit of that form of electrical generation.

The member forgets what has happened and the experience we have gained and he forgets that, in comparison with the kind of technology available in other parts of the world, the Candu system has been adjudged by most objective critics as being, if not the best, one of the superior systems.

Mr. Rae: That is why it has sold so well.

Mr. Speaker: Never mind the interjections, please.

Hon. Mr. Davis: Sure, we have had some problems at Pickering. But put them in the context of the number of years they have performed; put them in the context that we have been in the forefront of some aspects of technological development.

I know the member is always upset when we do things in this province that other people in the world have not done. I take a certain degree of pride in it; I am not as negative as he is. I do not want to turn back the clock. As I said earlier, and I am not being facetious, the member really would have us in the Middle Ages in some of his philosophical and economic policies.

2:30 p.m.

Mr. Rae: It is clear that it is the Premier who is living in the past and not looking towards the future of this province, and it is the people of Ontario and the workers in Ontario Hydro who are going to pay the price for the government's arrogance and complacency with respect to relying on one technology and one form of electrical generation.

FRENCH-LANGUAGE SERVICES

Mr. Rae: Mr. Speaker, my next question is to the Attorney General. He will no doubt be aware of the exchange that took place in this House on October 11 between myself and his seatmate, the Minister of Intergovernmental Affairs (Mr. Wells).

One of the comments made by the minister was that he was disappointed that so few people were aware of the achievements which the government had made and which the province had realized in the field of recognizing the rights of Franco-Ontarians; it was a pity this was so and perhaps everybody shared a degree of the

blame for the fact the achievements of the government were not more widely known.

Given that statement by the Minister of Intergovernmental Affairs, I wonder whether the Attorney General can explain to the House why, when he introduced the Courts of Justice Act on Thursday, he made absolutely no reference to the fact that the government had made a symbolic move with respect to the recognition of French language rights in the province and a move of substance as well in terms of guaranteeing rights as a matter of law in the province and several districts in this province?

I wonder whether the Attorney General can explain why nothing was said in English in terms of an announcement in the House at that time, or in French, or in any language that I can recall in the House on Thursday, but that certain information was given to the French-language press which was not made equally available to the English-language press? Can the Attorney General comment on that and on the effect it may have on the sensibility of people in this province with respect to the introduction of this important measure?

Hon. Mr. McMurtry: Mr. Speaker, I appreciate the question from the leader of the New Democratic Party, because I was going to stand up in a very few moments and ask permission to read a brief statement which is directed to the very question he has asked. With the permission of the House, I would like to do that. It is a very brief statement, and I can give it in the form of a statement and enlarge on it.

Mr. Rae: If we could have a copy, I would have no objection.

Hon. Mr. McMurtry: A copy should have been delivered to the member for York South.

Mr. Speaker: Before proceeding, may we have the concurrence of the House to revert to statements?

Agreed to.

STATEMENT BY THE MINISTRY

FRENCH-LANGUAGE SERVICES

Hon. Mr. McMurtry: Mr. Speaker, I do have a brief statement to make on the question of French-language services in the courts of Ontario. I do so because of some obvious confusion and misunderstanding arising from the introduction last Thursday of the latest version of the—

Interjections.

Hon. Mr. McMurtry: The member for Prescott-Russell (Mr. Boudria) is interested in this statement if none of his other colleagues are.

Mr. Boudria: Yes; they are, they are.

Mr. Speaker: Order.

Hon. Mr. McMurtry: I do so because of some obvious confusion and misunderstanding arising from the introduction last Thursday of the latest version of the Courts of Justice Act, 1983. I want to stress again, as clearly and precisely as possible, the commitment of the government and of my ministry to the provision of French-language services in the administration of justice.

I made that commitment in 1975 shortly after being appointed Attorney General. Since that time, services have been steadily expanded. In 1978, we amended the Judicature Act to provide in law for the use of the French language. At the same time, the federal government went ahead at my request with amendments to the Criminal Code to provide in law for the use of the French language in the criminal courts. In eight years, we have come an enormous way to the point where we now provide a full range of services in areas where 83 per cent of the francophone population reside and a significant range of services where 96 per cent live.

A draft of the Courts of Justice Act was first distributed in March 1983. A revision was made and issued on June 28. The second version contained the section on language that has now created some interest in the media. Section 135 codifies the existing law where French and English are recognized as the languages of our courts.

In 1978, this assembly unanimously adopted legislation which made English and French the languages of record in the courts of justice in our province. As I mentioned, these sections were in the June discussion paper, 2,000 copies of which were widely distributed. An official of my ministry spoke about this particular section in public in September and was quoted about it very prominently in the French-language media.

When this legislation was introduced on Thursday last, some 30 copies of it were delivered to the press gallery, together with extensive explanatory notes. I checked with the legislative counsel's office before coming into the House to be assured that had happened. I was told by the chief legislative counsel that 30 copies had been delivered with extensive explanatory notes.

A reference to the language section is made at the top of page 2 of the explanatory notes.

Mr. McClellan: Oh, it must be a plot. It's a plot.

Mr. Speaker: Order.

Hon. Mr. McMurtry: I had assumed that in a mass of comprehensive statutes such as the new Courts of Justice Act, the explanatory notes would be of some interest to some members of the media. Given the high interest in the Courts of Justice Act, I look forward to a thorough discussion in the Legislature this fall.

There were very extensive explanatory notes and if one looks at them, it makes very clear that this was a codification of the existing law. It is true, as I explained to Mr. Cruikshank of the Globe and Mail, who spoke to me that same afternoon, we knew no new rights were being created, no new extension was being made; this was a codification. The reference in the Courts of Justice Act, as I said to him, as I say to the member now, and I agree with him, at the very least is certainly of great symbolic importance over and above what we have already created.

As far as I am concerned, the suggestion that there was any mystery about this is a tempest in a teapot, which occasionally happens in this great Legislative Assembly.

ORAL QUESTIONS

(continued)

FRENCH-LANGUAGE SERVICES

Mr. Rae: Mr. Speaker, the Attorney General refers in his statement to the effect that section 135 codifies the existing law. I want to quote from the explanatory material that has been provided by his own ministry where it talks of section 136:

"Clause 4(e) of section 136 is a new provision that permits with the consent of all parties pleading further documents be filed in the French language only." That is a new provision. Clause 4(f) is a new provision that permits the reasons for judgement to be in either the English or French language.

The Attorney General knows full well that I am not quarrelling with what he is doing. What I am quarrelling with is the way in which this was done. Let us take some pride in the achievements.

Mr. Speaker: Question, please.

Mr. Rae: Let us take some pride in the fact that this is what the government is doing on behalf of all of the citizens of this province. We cannot do this if that is not made clear to all the citizens of the province in both languages at the same time. Why did the Attorney General not

refer to that in his statement? Does he not think it is of importance? Why did he not refer to it on Thursday?

Hon. Mr. McMurtry: Mr. Speaker, the matter is very clearly set out in the explanatory notes. This is a massive and important piece of legislation with many dozens of provisions that are of immense importance to anybody interested in the administration of justice in this province. If the honourable member is suggesting that on the introduction of similar legislation it would have been more appropriate to read the eight pages of explanatory notes as part of my statement, I would be glad to do it.

The member knows very well that I have never, ever missed an opportunity to demonstrate our continuing commitment to the provision of French-language services in the administration of justice.

2:40 p.m.

Mr. Boudria: Mr. Speaker, perhaps I should try to change the tone of this somewhat. Concerning the precedent that has been created in this legislation, does the minister intend to convey pressure on his colleagues to ensure that other legislation is referred to as official in both French and English in this province?

Hon. Mr. McMurtry: Mr. Speaker, the commitment of the Premier (Mr. Davis) and all of my colleagues to the extension of French-language services has been well made and has continued at a dramatic pace. Any reasonable observer would have no difficulty in appreciating the depth and sincerity of this commitment.

Mr. Rae: I do not think one can reach any conclusion other than that this government is attempting to communicate different messages to different parts of the province with respect to a very important matter of policy. That is something that has to stop if we are going to make real progress.

Given the statement in this act with respect to the now official status of the French language in the courts of this province, what conceivable objection could the Attorney General or the government have simply to making that part of the Constitution of Canada? He knows full well there is a clause in the Constitution, the Charter of Rights, that applies specifically to that. What possible objection can he have to taking that even more symbolic step for all the citizens of this province with respect to French language rights in our courts?

Hon. Mr. McMurtry: To clarify something

again for the leader of the New Democratic Party, French was made an official language of the courts of this province in 1978. Where has he been in the last five years?

REMEMBRANCE DAY

Hon. Miss Stephenson: Mr. Speaker, on Thursday last week, in my absence, the member for Kent-Elgin (Mr. McGuigan) directed to the Premier (Mr. Davis) a question concerning the difficulty which might be experienced by teacher-veterans in acquiring leave times from their school boards in order to attend services of remembrance on November 11.

Unhappily, the member is not in the House today but I would like members to recall this is the first year under the amended regulation on the school year and school holidays. One of the significant revisions made in that regulation as a result of a thorough review of the school year was to change November 11 from a school holiday to an instructional day upon which students would be in school.

The regulation stipulates that a Remembrance Day service shall be held at every school on November 11, but it also permits a school to participate on that day in a service of remembrance at a cenotaph or other location in the community. As an extension of this latter provision, I would urge school boards to accommodate the requests of teachers and other employees who, as war veterans, wish to be excused from their regular duties to attend services of remembrance at a location other than their schools.

Bearing in mind that this matter is exclusively one of employer-employee relationships which lies totally within the jurisdiction of each school board, I have no hesitation in encouraging school boards to respond to such requests in a manner in keeping with the purpose and spirit of Remembrance Day.

I would like to take this opportunity to remind members that this is not the only initiative taken by the Ministry of Education to assist schools, teachers and students to observe Remembrance Day in an appropriate and meaningful manner. The resource booklet entitled Remembrance Day, which was prepared by the ministry with the assistance of practising educators, was distributed to the schools in 1980. This booklet is a rich compilation of a wide range of thoughtful and thought-provoking materials. It also outlines activities sensitively arranged and tastefully presented to assist our young people

to prepare for this important moment of remembrance.

A memorandum was sent to all school principals to serve as a reminder of how the time leading up to November 11 could be used. The memo stressed the importance of providing students with an opportunity to acquire and enhance an understanding of the significance of Remembrance Day by developing a deeper appreciation of the qualities of endurance, courage, sacrifice, loyalty and dedication to the principles of freedom and peace.

At this moment of international unrest in particular, which finds us all increasingly conscious of the fragility of peace and of the sanctity of freedom, it is my sincere hope this year's observance of Remembrance Day will have profound meaning for those whose future lies ahead of them, as well as for those who have already dedicated their past to setting their future at the risk of service for this country.

Mr. Bradley: Supplementary question, Mr. Speaker: I am sure the latter sentiments expressed by the minister will be shared by all members in the House, as indicated.

In looking at the first part of the response, I am pleased the boards of education have that right, but why would the minister not simply issue a provincial directive which would solve this matter, so it does not happen that one board is following one policy and another board another policy? I understand they have that opportunity and no doubt the minister would encourage them to permit those teachers to be absent, but why would she not issue a provincial directive?

Hon. Miss Stephenson: I thought I made it rather clear that matters which relate to this kind of day-release fall totally under the aegis of the employer-employee relationship at the board level.

I would certainly encourage boards by memorandum and other kinds of activities to release those veteran teachers and staff members for that day. In many instances, they will not have to be released but in some they probably will. I would certainly encourage them to do so. However, I am not sure it is appropriate that the minister should interfere rather directly into that labour-management relationship at this time. I think the boards can do that fairly easily.

POLLUTION IN LAKE ONTARIO

Mr. Ruprecht: Mr. Speaker, I have a question for the Minister of the Environment. He is aware that for many years in Toronto polychlo-

rinated biphenyls have entered our sewers from various chemical plants and, consequently, are draining right into Lake Ontario. He also knows that since the announcement made by—

[Failure of sound system]

Mr. Ruprecht: I will not repeat my question. I will just carry on.

Mr. McClellan: Ruprecht for leader.

Interjections.

An hon. member: You are not interested in the environment. That is what is wrong.

Mr. Ruprecht: I do not think those guys are interested in the environment. If they were, they would have been at the Canadian General Electric plant on Friday. I did not see them there at all, none of them. Their leader was not there. The member for Scarborough West (Mr. R. F. Johnston) was not there. None of those people were there.

Mr. Speaker: Now for the question, please.

Mr. R. F. Johnston: That is because we heard you were going to be there.

Mr. Speaker: I am sure the honourable member has raised a very serious matter. Would he please proceed?

Mr. Ruprecht: The minister knows that at present CGE is draining into our sewer system amounts of PCBs that are beyond his own guidelines. Since he knew about this and about previous incidents, and since he knows there are fairly large amounts of PCBs in the Toronto sewer system, I would like to find out from him when he will be ready to make this information public. Is he ready to make this public now and tell us precisely the amounts of PCBs found in the Toronto sewer system today?

Hon. Mr. Brandt: Mr. Speaker, it is entirely unfair for the member to be suggesting publicly that the level of PCBs, either in the Toronto waterfront, in drinking water, in raw water or in the system is anything but below the acceptable levels established by the Department of National Health and Welfare.

I would like the honourable member to write these numbers down because, quite frankly, he has made some statements in the newspaper which I think are going to go to raise, quite unfairly and quite inappropriately, the anxiety levels of some of the people who live in that area. Health and Welfare has suggested an appropriate upper limit of 3,000 parts per trillion of PCBs in water. The highest level our ministry has been able to measure in Toronto,

which goes through the very sewer system the member is talking about, is 50 parts per trillion.

I would like to suggest to the member that there is such a vast difference and such a large amount of safety built into the factoring we are using at the moment that I am absolutely flabbergasted he would even raise the question.

2:50 p.m.

[Failure of sound system]

Mr. Speaker: Order. Perhaps you could just move over and use one of the other microphones.

Mr. Ruprecht: The other light is on now. Is he trying to confuse me or what?

Mr. Speaker: Question, please.

Mr. Ruprecht: If I were the minister, I would not be so flabbergasted because I was told by the Canadian General Electric officials themselves, while he is sitting there smugly saying that I am turning on the alarm bells, that at present 75 parts per million are coming from that plant into the Toronto water system.

That is different from what the minister is indicating. If the minister is so concerned about it, should he not go over there himself and find out the facts? Why has the minister not gone there and found out what it was?

Mr. Speaker: Question, please.

Mr. Ruprecht: Let me ask my second question. The minister knows there are literally hundreds of gallons of PCB wastes stored at this plant and other plants in Toronto. I am thinking especially about the Junction triangle area. A simple fire in any one of those storage sheds would cause another Mississauga-like disaster which would have catastrophic health effects.

Hon. Mr. Brandt: Come on.

Mr. Ruprecht: Come on; what does he mean, come on?

Mr. Speaker: Will the honourable member just place his question, please?

Mr. Ruprecht: Finally, let me simply ask the minister, when will he approve the technology for the destruction of PCBs? What is his timetable for it?

Hon. Mr. Brandt: I am pleased to respond to the serious part of the member's question with respect to the evolution of the technology in connection with PCBs. As the member may be aware, the Ministry of the Environment has invested quite a considerable amount, some hundreds of thousands of dollars, in the plasma arc technology. That experimentation is going on at this particular time. It is a technology that

other jurisdictions are looking at as being one of the answers to the destruction of PCBs.

Also, we have the diesel destruction mobile unit technology in Ontario now and it is taking care of part of the problem. My ministry is open to suggestions as to a better way to remove the existing PCBs. However, I want to say that of any of the jurisdictions of which I am aware, of all of those that I have looked at anywhere in North America, our system is the most advanced with respect to looking after the problem of PCBs.

It is unfair to suggest that the level of PCBs in the leachate from the site of Canadian General Electric that the member is talking about, or the level of PCBs that has gone into the sewer system, or that which is being treated by our sewage and water treatment plants, is anything but acceptable. It is unfair of the member to suggest anything other than that. Quite frankly, the federal government establishes some of the guidelines I am relating to.

I think we should put on the record the fact that we have a problem. The Minister of Labour (Mr. Ramsay) and I have had some extensive consultation on this with respect to the environment both inside and outside of the plant. I want to go on record as assuring the people who live in that area that there is no problem, that, to the best of the knowledge I have been able to get from my staff, who are experts in the field and who know how to deal with these kinds of questions, there are no health problems whatever either in that area or as a result of the drainage that has occurred offsite from that area in to the storm sewer system.

HOMES FOR SPECIAL CARE

Mr. R. F. Johnston: Mr. Speaker, I have a question of the Minister of Community and Social Services. While the minister is turning people out of the small institutions for the mentally retarded, which have active programs for those residents, he is at the same time turning down his triministry project to provide programs for mentally retarded people in homes for special care and nursing homes around the province.

Would the minister confirm that instead of producing—and I quote from the announcement of the ministry when it first came up with this program—"improved programs for 2,920 mentally retarded people in the first four years of that triministry project with about \$27.5 million being put into it," even his own ministry people, when they are adding up the number of

residences with programming, say a maximum of 1,300 people are receiving programs, and he has underspent those projects by \$8.7 million, or 32 per cent, leaving the vast majority of those people still without any meaningful program in those homes for special care?

Hon. Mr. McCaffrey: Mr. Speaker, periodically we get into these questions that require a more detailed response than I am in a position now to give. It is nobody's fault, it is because they deal with some specific numbers. I would like to be able to respond to the question as soon as I can, which may be tomorrow.

May I just say, with regard to the initial comment in the question about the speed of deinstitutionalization, it seems to me that it was only last Friday we were being criticized for going a little bit too slowly with deinstitutionalization.

Mr. R. F. Johnston: I am afraid the acting minister did not understand my concerns about what is happening. It is not the speed in particular.

While the minister is looking into this question and learning a bit about what is involved in the triministry project and the decentralization that is taking place, will he please have a look at the fact that programming, according to his ministry officials, does not necessarily mean that there are actually programs in place for those people? It can mean there is a service co-ordinator who is there, supposedly to provide services but who has no money to do so.

Will he find out how many homes there are with nonprogram programs at the moment? These are homes such as the Muskoka Nursing Home, which has 67 residents who are receiving no programming at all even though \$150,000 has been requested for a life skills program, a multisensory program and enhanced staffing to help the people in that home. Will he tell us how many of them are fictitious programs as well?

Hon. Mr. McCaffrey: I will report back.

CHILD RESTRAINTS

Mr. Boudria: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. Tomorrow, November 1, is the date that the legislation of his colleague the Minister of Transportation and Communications (Mr. Snow) concerning mandatory child restraints will take effect in this province. Given this fact, can the minister tell this House what arrangements, if any, he or the Minister of Transportation and Communications have made with vari-

ous car rental agencies or their organizations throughout the province to ensure that child restraints will be available in rented automobiles?

Hon. Mr. Elgie: Mr. Speaker, I will be glad to advise the Minister of Transportation and Communications that he has been asked that question.

Mr. Boudria: We have contacted nine car rental agencies across this city and all except one told us they did not have child restraint seats for tomorrow, the day the legislation will take effect. The only agency that said it would provide seats will do so at an extra cost to the consumer who is renting the automobile. Does the minister not think this program is unfair to consumers? Will he undertake to contact that organization today to ensure that car seats are provided for children at no cost in each and every case when automobiles are rented?

It would be rather ridiculous if a person had to carry a car seat underneath his arm from here to the airport in order to have one when he got off at the other end of the airplane ride to Thunder Bay, Ottawa or some other location.

3 p.m.

Hon. Mr. Elgie: I will be glad to confirm again to the member, if he did not understand it the first time, that the Minister of Transportation and Communications will be interested in the question he has raised.

In doing it, I hope he is also acknowledging that the minister has been in the forefront in the issue with respect to restraints for adults and children in this whole country. First, he should have praised the efforts the minister has made over the years to be in that position.

Ms. Bryden: Mr. Speaker, in view of the great dearth of members on the front benches, I cannot address this question to either the Minister of Transportation and Communications or the Treasurer (Mr. Grossman). Therefore, I will ask the Minister of Consumer and Commercial Relations if he will take to the Treasurer the request that the remission of the sales tax on child restraints be permanent and not just until the end of this year. They are essential and people should be encouraged to use them.

Mr. Speaker: I must point out to the member that is hardly supplementary to the answer the minister gave.

EXTRA BILLING

Mr. Cooke: Mr. Speaker, I have a question for the acting Minister of Health before he leaves the assembly.

First, I would like to report to him one of the

many cases that has been called in or written in to our office on the effects of his government's refusal to act on extra billing. Lorraine Stewart lives in Sudbury. She had to have an operation by an ophthalmologist which had to be done in Toronto because the facilities for the doctor were not available in Sudbury. The following bills were extra billed to this individual: June 7, \$15.20; June 8, \$687.20; and June 22, \$218.48—a total of \$920 in extra billing. This for an ophthalmologist here in Toronto where 71 per cent are opted out

Mr. Speaker: Question, please.

Mr. Cooke: In view of the fact this family has an income of \$18,000 per year, I would like to ask the minister when is this government going to act to stop extra billing in Ontario, which hits people on middle and low incomes very hard and is halting any progress that should be made in health care in terms of universal accessibility?

Hon. Mr. Wells: Mr. Speaker, since I noted in the paper that my friend had advertisements asking people with these particular problems to write in, it probably means he has a number of them. I think this is justifiable. He is going to be bringing them to us from time to time. I would like him to give me all of the information and I will thoroughly look into each of these problems. If he wants to send them all over at once, rather than raising them one at a time in the House, I will be glad to arrange for the answers.

Mr. Cassidy: The minister would be embarrassed.

Hon. Mr. Wells: No, I am not embarrassed. For instance, one of the things that is forgotten is that while about 14 per cent of the doctors of this province are opted out of the Ontario health insurance plan, of the 60 million to 70 million claims each year, I think only about six per cent are actually billed above the OHIP rate.

Mr. McClellan: Seven per cent. That is 11,000 per day.

Hon. Mr. Wells: No. Six per cent are billed above the OHIP rate. This means that even a large number of the doctors who are opted out are accepting the OHIP fee schedule as full payment. My experience has been that a number of people who are dealing with opted-out doctors are only paying the OHIP fee schedule and the doctor is accepting that. This is one of the things.

Mr. Di Santo: That is not true. The minister knows that.

Mr. Speaker: Order.

Hon. Mr. Wells: My friend says it is not, but that may be the solution to the problem in some of these cases.

Mr. Cooke: Back to this case of the \$920.

Hon. Mr. Wells: However, all I am saying is that if we are going to deal with specific cases by name in this House, that is something I really am very loathe to want to do because I hate to deal with people's medical problems on a personal basis publicly in this House. If my friend will send over the details on that particular case, we will look into it and get the answers.

Mr. Laughren: Mr. Speaker, my colleague referred to the constituent from Sudbury. Since the minister seems to be saying that we now have a means test administered by the medical profession for people who need medical care in the province, I would like to ask him more generally if he thinks it appropriate that in a community like Sudbury 88 per cent of the obstetricians and gynaecologists, 50 per cent of the paediatricians and 44 per cent of the anaesthesiologists are opted out.

Hon. Mr. Wells: All I can tell my friend is that the policy of this government has been that there be a certain degree of freedom to the medical profession to operate either within or without the plan. At the present time, that exists in this province. I am not convinced the medical care of the people of this province is suffering because of it.

Ms. Copps: Mr. Speaker, when the minister is looking at the issue of user fees, I wonder if he might at the same time investigate what appears to be an increasing practice among opted-in physicians. I refer to the practice of adding an annual surcharge on an individual or family basis from anywhere between \$25 and \$50 so that a family might be able to have forms filled out or other charges waived on a regular basis. It appears to be an increasing practice among individual doctors to levy surcharges on patients with no regard to whether or not any services are being delivered during that fiscal year.

Hon. Mr. Wells: With all due respect to the honourable member I did not know I was answering a question about user fees. I thought I was answering a question about opting in or opting out extra billing by doctors. I am not aware of any doctors who are levying a special surcharge, except that I just now asked my colleague the Minister of Education (Miss Stephenson) and she said she had heard of a couple of cases in Mississauga.

I have never had any brought to my attention

in my riding. I am happy the member has brought this to my attention. If she would give me the doctors' names and the situation, I will get an answer for her. But I have never had it brought to my attention by anyone before. I would like to know more about it—about what doctors are doing it—and find out exactly under what conditions it is being done.

EQUAL OPPORTUNITIES FOR WOMEN

Hon. Miss Stephenson: Mr. Speaker, I am pleased to provide the information requested by the honourable member for Port Arthur (Mr. Foulds) and the honourable member for Windsor-Sandwich (Mr. Wrye) regarding the equal opportunity co-ordinator at Loyalist College of Applied Arts and Technology.

The provision of skills development opportunities to women is a high priority of the government of Ontario. Therefore, the Ministry of Colleges and Universities has undertaken several initiatives to assist women to enter occupations that have in the past been considered the sole preserve of the male of the species. Many of these initiatives are implemented by colleges of applied arts and technology.

Equal opportunity co-ordinators are important, but they do not bear total responsibility for all this program. Assisting women to enter nontraditional occupations is a responsibility of the total college staff. Colleges have a number of resources at their disposal to attain the objective. Many provide programs specifically designed to inform women of the career potential in nontraditional occupations.

The ministry recently funded the development curriculum for an 18-week program for women entering nontraditional occupations, and the Treasurer (Mr. Grossman) recently allocated \$4 million to the technical upgrading program to enhance the colleges' ability to serve the career needs of women. In fact, I should like the honourable members to be aware that at the precision skills unit of Seneca College there are more female students than there are male.

Colleges in this province also provide career and academic counselling on a year-round basis. The counsellors provide services to both men and women. The board of governors of all colleges have designated at least one person as an equal opportunity adviser. At present two of those positions are vacant. The funds for these positions, while not specifically earmarked by the ministry, are allocated by the college board of governors from the operating grant provided by the Ministry of Colleges and Universities.

Responsibility for determining the best method of serving the needs of women entering nontraditional training programs and occupations is left to the board of governors of each individual college. The Loyalist College board has provided for a part-time contract by the 1983-84 academic year, September 6 to June 22. This position, of course, is renewable. The person in the position has considerable experience at Loyalist College and is very well qualified to advise women on skills development opportunities at that college.

Mr. Speaker, a college's ability to provide equal training opportunities is measured not by the number of hours worked by an equal opportunity co-ordinator but by the total resources of the college committed to that task.

DEVELOPMENTAL CENTRES

Mr. Bradley: Mr. Speaker, I have a question for the Minister of Education concerning the rumblings emanating from the Association of Large School Boards of Ontario. This is to the effect that the boards under their jurisdiction, or at least who make up their membership, have indicated an extreme reluctance to assume responsibility for the children who are now attending a developmental centre, such as the Lincoln Developmental Day Centre in the Niagara Peninsula, until such time as her ministry clearly identifies how this implementation will take place.

3:10 p.m.

In view of that, what actions is the minister prepared to take to alleviate the concerns of these school boards and of the parents and the staffs involved? What specific instructions does she intend to provide for them?

Hon. Miss Stephenson: Mr. Speaker, first, I should like to clarify for the members of the Legislature that there are no boards under the jurisdiction of ALSBO. ALSBO is a voluntary organization.

Mr. Bradley: I said "who make up their membership." The minister was just waiting for the question.

Hon. Miss Stephenson: Fine. The member said "under the jurisdiction of."

Second, the member knows, because I have given him sufficient information to be aware of it, that there has been a concerted effort by the implementation team for special education working with the various boards, particularly in the Niagara Peninsula, and other agencies in that area, to develop the appropriate planning mech-

anism that will ensure that the children who require the educational program will receive it in the circumstance that is best for them as individuals, rather than following any specific route.

We will be advancing to boards in the not too distance future a rather more direct focus on this activity than perhaps has been available in the past. The date will be made known to the member when it is known to me.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. O'Neil: Mr. Speaker, I have petitions that have been submitted to me by teachers in my area that read as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

These petitions were submitted to me by teachers at the Stirling Junior School, Bayside Elementary School, Sir John A. Macdonald Elementary School, Belleville, North Trenton Elementary School, ACM L. S. Breadner primary and senior schools at the Canadian Forces Base, Trenton, Frankford Elementary School, Foxboro Senior Elementary School and Harry J. Clarke Senior Elementary School in Belleville.

Mr. Di Santo: Mr. Speaker, I would like to present a petition as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect

would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

It is signed by 16 teachers from Grenoble Public School and Tumpene Public School.

Mr. Yakabuski: Mr. Speaker, I have a petition as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

The above petition is signed by 105 teachers from the following schools: Opeongo High School, Arnprior District High School and Madawaska Valley District High School.

Mr. Rae: Mr. Speaker, I would appreciate it if you recognize the Adult Day School of the city of York and Runnymede Collegiate Institute from the city of York. They have both supplied a number of signatures with respect to the constitutionality and the effect of the Inflation Restraint Act on teachers who teach in the city of York.

They are petitioning the Legislature of the province to "restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act," which petitions I fully support.

Mr. Swart: Mr. Speaker, I have a petition to add to the thousands that have been tabled here against the extension of the Inflation Restraint Act and the restoration of bargaining rights to the teachers. I would think from the magnitude of the numbers the government would be considering that it not extend the Inflation Restraint Act.

This one is signed by Ross Staples, H. D'Amico, C. Liebau, N. Cheel and Eleanor Cook.

Mr. Hennessy: I have a petition also which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

Mr. Treleaven: Mr. Speaker, I have a petition in the same wording from 11 teachers from Innerkip Central school.

Mr. Cooke: Mr. Speaker, I like the last presenter the best. He chaired the committee that screwed the workers of this province.

I also have a petition that objects to the extension of Bill 179. I supported this idea last year. I support it this year, unlike the people across the floor or to our right.

Mr. Speaker: I was given to understand there was a motion, but apparently there is not.

INTRODUCTION OF BILLS

POWER CORPORATION AMENDMENT ACT

Mr. Peterson moved, seconded by Mr. Conway, first reading of Bill 104, An Act to amend the Power Corporation Act.

Motion agreed to.

Mr. Peterson: Mr. Speaker, this bill is intended to require the approval of the Legislature for borrowing by Ontario Hydro, for borrowing by the government of Ontario on Hydro's behalf and/or for government of Ontario guarantees of Hydro bonds.

POWER CORPORATION AMENDMENT ACT

Mr. Conway moved, seconded by Mr. Peterson, first reading of Bill 105, An Act to amend the Power Corporation Act.

Motion agreed to.

Mr. Conway: Mr. Speaker, this bill would require the approval of the Legislature after a

hearing by one of its committees for the appointment or reappointment of the chairman of Ontario Hydro.

3:20 p.m.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MANAGEMENT BOARD OF CABINET

Hon. Mr. McCague: Mr. Chairman, it gives me pleasure to present again the estimates of the Management Board of Cabinet. I am accompanied today by my two deputies, Bob Carman, Management Board secretary, and George Waldrum, chairman of the Civil Service Commission. Both men and their staffs played significant roles in support of the government initiatives that enabled us to meet the severe economic and social pressures of the past year without compromising Ontario's financial position or curtailing services to the public.

As Chairman of Management Board, I am proud of our achievements of the past year. These were due in large measure to the capable and loyal support of board members who, as we all know, are busy with cabinet responsibilities in addition to their board duties. I can always count on their close attention to board business, even on those all too frequent occasions when our meetings start at eight.

I would be remiss if I did not also acknowledge the dedication and support of Ontario's fine public service staff. We could not have maintained Ontario's customary high quality of service in the face of very serious constraints without their co-operation and commitment to their responsibilities.

As the former Treasurer (Mr. F. S. Miller) noted in his May 10 budget, in-year expenditures for 1982-83, because of many factors beyond our control, increased by \$728 million, a level that could have pushed the provincial deficit well over \$3 billion and placed Ontario's triple-A credit rating in jeopardy. This was a situation that had to be averted. As the year progressed and the disparities in expenditures and revenues developed, we rolled up our sleeves and went to work at restraining spending throughout government.

Mr. T. P. Reid: I thought you were already doing that.

Hon. Mr. McCague: And continuing. Interjections.

Mr. Chairman: Order.

Hon. Mr. McCague: Management Board's expenditure control strategies, designed to strengthen the government's expenditure control process, demonstrated their worth during the course of our endeavours.

As a result of the constraints imposed by Management Board and savings from existing programs, we succeeded in offsetting the increased spending by \$594 million. This had the effect of limiting the actual spending increase to \$134 million, a rise of less than one per cent over the original budget estimate for the year. I suggest to the honourable members that this is nothing less than a remarkable achievement, given the fact that we continued to maintain our high level of service in the face of increased demand.

Ontario enjoys a well-earned reputation for prudent fiscal management. Our government spending has represented a declining share of the gross provincial product in five of the past seven years and, as a result, we have the lowest per capita expenditure of any provincial government. Our record of restraint during this ongoing period of economic turmoil not only has reinforced our reputation for good management but also has provided us with a built-in capacity for financial flexibility, which we were able to put to good use during the past year.

I think it is safe to assume that Management Board did not win any popularity contests along the way. We had to be very firm in our imposition of constraints, which invariably required ministries to make tough decisions about where they could reduce or postpone spending.

Although Management Board and its secretariat cannot take credit for ministry programs, we can derive much satisfaction from the effects our management initiatives have had in achieving affordable program delivery. We are maintaining the pressure for increased productivity, better decisions, greater value for money and improved overall management practices. I will be discussing these activities in greater detail later, but I suggest, for example, that our focusing on enhanced expenditure control strategies and greater efficiency, in combination with our constraint strategies, definitely helped us over the rough spots of the past year.

But we are not in a position to rest on our laurels. We are continuing to experience strong expenditure pressures, which I know will remain throughout the 1983-84 fiscal year. The challenge to be better managers and to maintain our levels of service for a growing population while maintaining our fiscal integrity remains as strong

as ever. It is a challenge I am confident we can meet.

An important element of our overall plan to make more efficient and effective use of available funds is our program review process. As I mentioned last year, ministries have been asked to undertake a thorough reassessment of their programs and their priorities and to recommend to cabinet where expenditures can be reduced. The savings recommended by the ministries will give the government the flexibility to redirect resources to programs that require enrichment or to introduce new programs to meet emerging social and economic needs.

A program review team has been formed by Management Board to advise and assist ministries in this broad program reassessment. Ministries have been encouraged to look at any and all of their programs and to consider a range of possibilities for change. One of the alternatives may be a program cutback or reduction. This could be accomplished by being more selective in targeting support or by decreasing certain activities. In the latter case it may be that the costs are simply considered too high given the current economic circumstances.

Another alternative is to introduce further efficiency measures into the design and delivery of programs. Improved productivity by both managers and staff will help us to hold down our costs. Fees for services are another possible means of dealing with some of the program expenditure increases that we have experienced in recent years. Increasingly, and particularly in the nonsocial service areas, we may have to look to the users or beneficiaries of a program to share in the costs involved.

Finally, in some instances we may have to contemplate extensive program change. We will have to ask ourselves whether considerations that gave rise to the program in the first place have changed sufficiently over time so that the current program no longer can be as readily justified, or we may have to consider whether elements of the program have reached the stage of maturity where they could be carried on by an appropriate group in the private sector.

The reality is that we have tough decisions to make. In today's fiscal climate we have to look even harder at what our priorities are when it comes to spending money. It is the government's ongoing responsibility to sort out competing demands. Today that responsibility has become an even more difficult challenge, but we are meeting it.

As members will recall, the 1983 Ontario budget announced that the total expenditure on existing programs would be reduced by \$300 million. These savings are essentially required for the job creation initiatives described in the budget. The September 30 Ontario Finances reports that the entire \$300 million has now been identified through two rounds of constraints.

However, the provincial government cannot go it alone. More than 70 per cent of its expenditures are transfer payments to local governments, institutions and individuals. While the Inflation Restraint Act has reduced inflationary wage pressures, which account for a major portion of transfer payment expenditures, our restraint efforts cannot be limited to wage restraints if we are to achieve our current year fiscal targets. We count on the active support of the municipalities, boards and institutions that receive transfer payments in our efforts to contain costs.

3:30 p.m.

This government has demonstrated its leadership in increasing productivity and restraining inflation. Undoubtedly, many publicly funded agencies and institutions are devoting time and effort along similar lines, and I commend them for their efforts. However, I draw to their attention that the fiscal realities of the day demand that they continue to strive for even greater efficiency and improved expenditure management.

I would now like to deal with value-for-money auditing, which goes beyond the traditional financial audit process to include the auditing of both financial and management controls. This change makes the auditors key members of the management team. It is their responsibility to test the quality of vital control information and report directly to the managers and the deputy ministers, who must take whatever action is appropriate. This process ensures that the controls so essential to our value-for-money and accountability efforts are regularly evaluated and improved when it becomes necessary.

Ministries bear the main responsibility for implementation of value-for-money auditing, but Management Board, in close co-operation with the internal auditors' council and the Ministry of Treasury and Economics, provides necessary support and direction. This new audit role requires that internal auditors upgrade their skills. To meet this need, Management Board has established a major training and development project. The project is supported by a steering committee and the full-time

secondment of an internal audit director through the Civil Service Commission, together with the active participation of the commission's staff development specialists and the internal audit community.

The project has a mandate to design and implement a suitable training program to improve the skills and capabilities of internal auditors, who are required to perform complex management control systems audits, which include consideration of value for money and electronic data processing. The project is approaching the halfway point. The training design phase is nearing completion. A process will be developed to assess the training needs of individual audit staff members, and implementation of the training program is anticipated during the last half of the project.

While we are vigorously pursuing the concept of value-for-money auditing, it will take time before we realize its full benefits. In addition to the training program just noted, the new and more mutually supportive relationship between managers and auditors will take time to mature.

I should point out that the direction established by the government for the development of the internal audit function is compatible with that recommended by the Provincial Auditor in his 1979-80 annual report. It is reasonable to expect that the attainment of this new type of auditing function will encourage the Provincial Auditor to place increased reliance on the findings of the internal audit branches, leading in turn to a more efficient use of scarce audit resources.

Let me now focus more directly on the question of staff numbers. As a result of our manpower control policies, the number of Ontario public servants continues to decline, with a decrease of 430 employees from March 1982 to March 1983. Since the introduction of Ontario's restraint program in 1975, public service strength has declined by 6.6 per cent, from 87,109 in 1975 to 81,396 in March 1983. This represents a staff decrease of 5,713 employees.

To help members visualize the dimension of such a decrease, let me offer this illustration: If that number of people were still on the payroll, we would have to raise more than \$100 million in additional taxes to cover the salaries, wages and benefits. Looking at it yet another way, the number of Ontario public servants in 1975 was 11 per 1,000 population; this year, it is nine per 1,000 population.

These figures not only demonstrate our determination to reduce costs but also reflect the

increased efficiency of our civil service, since they were achieved in the face of a population increase of 7.6 per cent during the same period of time.

Members may be interested to know that since January 1976 there has been a 15.4 per cent decrease in the number of executive positions, demonstrating that all levels of our civil service are subject to our manpower controls. As of June, there were 585 executive positions in the service, a net decrease of 104 positions since 1976.

The Ontario government continues to utilize the agency structure in many areas to good effect. For example, it looks to the Ontario Economic Council for advice, to the Ontario Northland Transportation Commission for effective program delivery and to agencies such as the Inflation Restraint Board for regulation.

Mindful of the need to ensure efficient use of all government funds, Management Board strives also to ensure that our agencies are administered in an effective manner.

To this end, during fiscal 1982-83, all policies pertaining to the administration of agencies were reviewed and updated as appropriate. A revised policy on conflict of interest in relation to the appointees to agencies was introduced. Appointees are required to declare any conflict of interest, and the agency chairmen must notify their ministers.

I should emphasize that agency appointees are also subject to the provisions of the Inflation Restraint Act, and increases in their remuneration are being limited to a maximum of five per cent this year.

The sunset review process is into its second year and continues to be effective in determining whether agencies are playing a useful role. Of the 24 agencies reviewed during fiscal 1982-83, six were terminated and 18 were continued for a further defined period of time. Eight new agencies were created during fiscal 1982-83. Twenty-eight agencies are scheduled for review prior to March 31, 1984. This number includes six newer agencies established during fiscal 1980-81.

A key element in the effective management of agencies is the memorandum of understanding which establishes financial and administrative arrangements and clarifies the respective roles and responsibilities of the agency and the minister to whom it is responsible. These memoranda are required for schedule I and II operational and regulatory agencies, just over 120 agencies at present.

Memoranda have been completed for the

vast majority of operational agencies, including the larger corporations with substantial budgets and major roles to play in the delivery of key government programs. To date, about half the regulatory agencies have completed their memoranda.

The efficient operation of agencies is very important to this government, and we have taken appropriate steps to ensure the accountability framework for agencies is clearly defined. While Management Board establishes the general rules of practice for all agencies in its Manual of Administration, it is the minister to whom the agency reports who is accountable for the agency's performance. A high degree of accountability to the Legislature is maintained through legislative review of mandates, tabling of memoranda of understanding, and the scrutiny of the Provincial Auditor and the public accounts and procedural affairs committees.

I believe these mechanisms work very efficiently in ensuring proper and economic use of government funds by agencies of the government.

We have recently come to the end of a three-year developmental phase of the management standards project, one of our more ambitious initiatives in the interest of improving the quality of management performance in the Ontario Public Service.

Interministerial working groups have collaborated in the development of 19 publications relating to the new management standards. The final booklet of the series, Program Design and Implementation, has just been released. All management standard booklets have been given widespread distribution within the Ontario public service and are available to the public through the government bookstore for a nominal charge. An extension of the project is a newsletter, Managing Together, which is distributed to 11,000 managerial staff throughout the government.

We have published nine issues of Managing Together, which have presented topics ranging from managing organizational change and technology to a staff interview with William Ouchi, the California professor who gained international attention with his book *Theory Z*, which deals with the Japanese challenge to North American management practices.

3:40 p.m.

In addition to helping managers keep abreast of management trends, the newsletter provides them with an opportunity to share their ideas and experiences with others in the management community.

Of course, we did not have to wait for a series of publications to begin to realize the benefits of the project. The interministerial action it generated created a vast pool of shared knowledge that produced early returns. Ministry A was impressed by what ministry B was doing and both learned something from ministry C.

Among the final project activities was a series of dialogues with senior management personnel throughout the province at which the emphasis was on participation by those who attended. The message came through loud and clear that there is enthusiasm and support for management improvement.

I had an opportunity this past March to extend my personal thanks to some of those persons who participated in the project. I think it would be appropriate now, on behalf of members of Management Board, to express appreciation for the continuing effort being made by staff throughout the government to improve our management practices.

I can assure the honourable members that the formal conclusion of the project's developmental phase does not signal the end to our efforts along these lines. Management board co-ordinated the development of improved management standards. The ministries are now at various stages of reviewing their current management practices. This will lead to the development of three-year implementation plans for upgrading their practices consistent with the standards.

Let me assure you this is not a paper exercise. Management Board is not interested in ministries developing an involved process that is going to get in the way of our principle objective, which is improved program delivery.

Each deputy minister is held accountable by Management Board for implementing management standards within his or her jurisdiction and will report to us on the progress being made.

This will occur during the deputy minister's 100-minute oral presentation to the board concerning the management situation within his or her ministry.

During last year's estimates I mentioned our preparations for this new technique and the fact that a pilot project involving three ministries was being organized. The pilot project was an outstanding success and we are now hearing from deputies on a scheduled basis.

In addition to reporting on their progress towards improved management standards, the deputies presentations provide them with the opportunity to discuss the ministries' achievements, pressures or problems.

Management Board members, in turn, may question the deputies on the points they make and are also able to obtain first hand information on any ministry matters in which there may be a special interest.

Management Board in the past has tended to see the ministries through a window of problems. This new approach provides the board with a completely new perspective—one, I suggest, that will lead to a fuller appreciation on our part of what makes each ministry tick.

The process was developed and tested by the secretariat's managing by results project team and the staff of the management standards project. Established in 1981, the managing by results, or MBR, improvement project is engaged in the process of strengthening the use of MBR by ministries and central agencies in order to integrate it more fully in government planning and control processes.

Under the MBR approach, the ministry determines in verifiable terms the end results to be achieved by a program for a particular client group within the approved financial and manpower resource allocations. During the year the ministry monitors the actual results, takes corrective action where necessary, and reports these results to Management Board. When planned results are not being achieved, a ministry is required to discuss its proposed corrective action with the Management Board secretariat and often to appear before the board.

Members of the MBR improvement team have met with the senior management groups within each ministry to improve the understanding of MBR and to promote the MBR approach as an integral part of the ministry management process.

To assist managers in understanding and applying the MBR framework, a publication, entitled *Manager's Guidelines to Managing by Results*, has also been distributed. A more comprehensive guide on the development and use of MBR, designed mainly for the analytical staff of ministries, is planned for this year.

Management board secretariat, in consultation with the Ministry of Industry and Trade and the government purchasing community, has continued its ongoing review of purchasing policies.

This review is intended to ensure that we acquire and manage the goods and services required to deliver government programs in a manner which makes the best possible use of the available financial, material and human resources. We also seek to maximize government

purchasing opportunities in support of the growth of Canadian manufacturing and research and development capabilities.

To this end, during the past year, the board revised its competitive purchasing policy, which now provides for greater standardization of purchasing practices within our decentralized purchasing system and for the identification and removal by ministries of barriers to the use of Canadian goods and services.

These revisions are intended to expand the pool of qualified potential suppliers available to bid on government contracts through the competitive purchasing process. This makes good business sense, both to the government as a buyer and in the increased opportunities it offers to suppliers of Canadian goods and services.

In addition to providing a purchasing environment which is responsive to the use of Canadian goods and services in delivering government programs, we must also be pro-active in identifying government purchasing opportunities which have the potential to stimulate economic growth. Management Board, therefore, recently established the industrial development review policy.

This policy provides for the identification and review, from a corporate perspective, of purchases with the potential to support economic development. Because of its industrial development expertise, the Ministry of Industry and Trade has been asked by the board to assume the lead role in implementing this policy.

In consultation with the Ministry of Industry and Trade, we will be monitoring the results of the policy to assist us in the development of other strategies to promote this increasingly important aspect of purchasing. Developing and implementing strategies to support Canadian business through purchasing is an ongoing and long-term process. However, it is one to which Management Board is committed and which the secretariat, in consultation with the Ministry of Industry and Trade and the government purchasing community, will continue to address.

In response to constraints, reduced staffing levels and the public's continued expectations for high levels of service, our public servants are looking to information technology to boost their productivity. This is reflected in our growing investment in computer services and other information technology tools. This year, as in previous years, Ontario will spend more on information systems than our sister provinces,

but the per capita costs of these computer-related expenditures will remain among the lowest and most cost-effective in the country.

Much of our success can be traced to an early start at computerizing the government's operational systems in the 1960s and 1970s. Our larger population also gives us an advantage over other provinces through economy of scale. In addition, we cannot forget the highly developed skills of our technical and managerial staff who have served us so well. However, the very maturity of our information technology systems does in itself present new challenges in the years ahead.

For example, the maintenance of existing computer systems is currently absorbing upwards of 70 per cent of our skilled systems staff. The remaining staff are struggling with the complexities of newer and ever-changing technology, and considerable backlogs for the development of new systems are emerging.

Faced with a need to get more things done and an overburdened systems development community, many managers in both the private and public sectors are purchasing their own computers and attempting to develop their own systems. With the availability of the microcomputer, the hardware investment in such systems is deceptively small and, therefore, often does not involve Management Board.

While I would normally applaud such initiatives, I am concerned that they could result in a proliferation of incompatible computer technologies. This, in turn, would increase our support costs, multiply the complexity of our development effort and seriously reduce our ability to implement a common computer communications network. Furthermore, the impact of such technology on our staff requires a careful, co-ordinated systematic implementation that takes into account the complex issues of human response to change.

That is why I have asked the staff of Management Board secretariat to bring together a task force comprising senior managers throughout government to address the issue of creating a corporate strategy for the use of information technology. This strategy will address itself to the broad directional issues of government administration, rather than detailed operational issues. It will chart a path through the minefield of alternative information technologies for the next several years.

3:50 p.m.

Under the chairmanship of the secretary of Management Board and the direction of the

eight deputy ministers who form the technology directions committee, the task force of senior managers is already working to determine the scope, nature and approach to such corporate strategies.

It is too early in the process for me to share any results of this initiative, but I would like to mention some of the major areas this working group will be examining. First, and in my opinion foremost, they will be looking at the impact of technology on people. In 1956, 17 per cent of the labour force in North America was classified as white-collar workers. Today, almost 60 per cent of the labour force is involved in white-collar activities and this represents a massive shift to information-related jobs.

This growing army of knowledge workers, as they are often known, includes teachers, clerks, accountants, scientists, engineers and administrators, and is ample testimony that we have moved from a predominantly industrial society to a predominantly information society.

The productivity engine of the new society is the computer and related telecommunications technologies. Just about everyone and every job in the government will feel the impact of these technologies in the next 10 years.

Our strategy must ensure that the computer is the positive force which will enhance the quality of working life and not simply automate existing tasks or, even worse, become a control device that distributes work to people and monitors the results. The early centralized computers forced us to design assembly line type jobs which provided little satisfaction to workers and to change traditional office routine in order that the efficiency of the computer itself could be maximized.

Today, with the advent of the inexpensive microcomputer and the computer terminal, we are no longer required to organize around the single, large computer mainframe. By maintaining a focus on people we hope to employ the new technology in a manner that enhances the dignity and wellbeing of the staff who use it. The onus is on us to retain a healthy and stimulating work environment, and we are very much aware of that responsibility. We have found that people do not usually resist technology; often, they welcome it. On the other hand they do react negatively to social change and changes in personal status that inappropriately applied technology can bring to the work force.

The issue of people and technology would not be complete if I did not talk briefly about the need for the education and training of those

employees affected by technological change. Our strategy must address this through a continuing education program. Special consideration will have to be given to those in occupations that will be most affected by technological change, including the many women who hold secretarial and clerical positions in the public service.

With a retraining program, and taking into account the ever-increasing program demands placed on the civil service, it would be our hope and objective that civil servants whose positions have been overtaken by technological change could replace any vacancies created through normal attrition.

A second major area that must be addressed by the strategy team is technology itself. We anticipate that we will have to make tough decisions about standardization of computer technologies, systems development techniques, data networks and so on. Appropriate strategy will preserve our future options and will, for example, permit a government-wide electronic mail service, simplified computer-to-computer communications, resource sharing between ministries and common approaches to systems development.

The strategy will have to consider our responsibility to our indigenous Canadian hardware and software industries, as well as to those multinationals that have manufacturing and research facilities in this country. If we do not use our own manufactured products we can hardly expect to develop a flourishing export business to other countries. There are many other areas that must be addressed by the strategy, but most are of a technical nature.

From all of this, members can see that the task we are undertaking is massive both in size and complexity. However, we intend to move with dispatch and plan the first draft of a corporate strategy in about a year. What we learn from developing and implementing it will greatly assist us in developing a more effective, refined strategy for the use of information technology in the 1986-87 time frame. More important, government managers will have a framework and a statement of direction, which will enhance their ability to improve their program delivery and productivity through intelligent choices in the increasingly complex and pervasive world of microtechnology, systems design, telecommunications and office automation.

Once we have developed a corporate information systems technology strategy, a number

of other policy changes will be required, including a revised computer acquisition policy and a new systems development policy. However, I would not expect any of this to be started before the draft corporate strategy is in place, or next fiscal year at the earliest.

There are two areas which will require our immediate and earnest attention and which cannot wait for the outcome of the corporate strategy. The first area involves the security of government computer systems, and the second focuses on the need to resolve an impending problem in the area of records management.

Good records management is an essential part of good government administration. It is a less glamorous side of information technology since it deals largely with the mundane task of filing huge volumes of original documents and working papers which may be required for future reference yet are no longer required for the day-to-day needs of a ministry program.

Some documents—for example, courtroom proceedings—must be held for 15 years and then moved to archival storage in perpetuity. Others must be held for at least seven years before they can be destroyed. Under the Archives Act the authorization of the provincial archivist is required to destroy records. However, records of historical research interest may be retained by the archivist for an indefinite period in the provincial archives.

Recent government initiatives have resulted in an overall 10 per cent reduction in space allocation standards for ministries, thus forcing these ministries to forward greater amounts of records to the relatively inexpensive storage space available in the records storage centres administered by the Ministry of Government Services. Unfortunately, these centres are already at close to 100 per cent capacity, and we are using more expensive private sector storage for the excess requirements.

Members of my staff are working with the archivist, the Ministry of Government Services and the Records Managers' Council to develop a solution to this dilemma. Options under consideration include the expansion of available records centre space, the relocation of the public archives to a larger building, a significant reorganization and the use of private sector records centre facilities. Also, we will be carefully examining relationships involving Management Board, which creates the relevant policies, the Ministry of Government Services, which operates the records centres, the ministries that use the centres and the Archives of

Ontario, which are part of the Ministry of Citizenship and Culture.

I do not have to explain to members the sensitivity of the personal and corporate information stored in the computer files of the various ministries. Furthermore, members are probably well aware of the growing capacity of members of the general public to attempt to access such information through home computer terminals and personal computers. These individuals have recently gained considerable notoriety in the United States by accessing the files of several major corporations, including the Los Alamos nuclear laboratory.

To date, there have been no known serious breaches of our computer security systems. At the same time, I am confident that without further tightening of these security systems and the relevant corporate policies regarding their use, we would become vulnerable to any concerted and knowledgeable effort to penetrate our computerized information files.

Mr. Nixon: You mean by some 12-year-old.

Hon. Mr. McCague: It has been that in some countries.

In the months ahead, the secretary of Management Board will be issuing a set of security directives to all deputy ministers. At the same time, work is already under way on a new administrative policy on computer security. The latter will require many months of effort to complete since it will not only be designed to deal with the security and privacy of information but will also address microcomputer security as well as the issue of recovery in the event of a large computer centre disaster. Security-related responsibilities of government managers, computer users, internal auditors, data processing services agencies, common carriers and central agencies will also be reviewed in the light of new technologies.

4 p.m.

In 1983-84 Management Board will also be issuing new policies on the use of consultants in the public service. I know that members on both sides of the House have frequently expressed an interest in this area and I am glad to report that the new policies will clarify procedures for the purchase and use of the services of technical, management and systems consultants by government.

I would like to conclude my comments on information technology by emphasizing that we are indeed facing a very complex and demanding situation. Our corporate leadership through

the creation of a strategic direction with a high level of service-wide support and management commitment will be breaking new ground in the public sector. We cannot mandate an end to technological change. We must, therefore, learn to manage it as an integral part of our future.

As we venture deeper into the complex technology of the information age, the Civil Service Commission will play an increasingly important role in planning and carrying out the necessary training programs that will enable our staff to adjust to the new challenges and demands of the work place. To assist in putting the activities of the commission in perspective, I believe it would be worth while at this time to review the commission's goal statement, which reads as follows:

"To provide corporate personnel policies, programs and services which, in conjunction with effective leadership and management throughout the Ontario public service, will result in a proficient and committed work force, effectively supporting government policies and programs that are consistent with the merit principle, the concept of public service, stated overall government policies and priorities, and the responsible use of public funds."

The former Treasurer outlined the substantial progress Ontario has made in improving public service efficiency in appendix C of his 1983 budget. This excellent record of achievement serves not only as a testimonial to our staff, but also to the positive employment environment created by the policies and programs of the Civil Service Commission.

The commission continues to maintain a close watch on staff strength, while reinforcing the government's overall efforts to maintain a high level of service with fewer staff. Once again, I would emphasize that staff reductions are being achieved through improved management techniques and not through indiscriminate cuts.

While new programs and activities which require staff continue to be initiated throughout government, ministries are finding these resources from within by making adjustments in other areas. This process is producing the desired results and its effectiveness is being bolstered by a number of training initiatives which I will discuss in more detail.

The honourable members may recall that in September 1982 the Civil Service Commission imposed restrictions on external recruitment. This action was taken to provide employment opportunities for staff affected by program

adjustments, while continuing the government's commitment to a gradual reduction in the size of the public service. The restrictions have proved to be effective in achieving the government's objectives, while at the same time reducing advertising costs for vacancies.

Of course, we could not expect to fill every position from within the public service. Where it was essential for the operation of government programs and where there was an absence of qualified internal applicants, the Civil Service Commission has approved requests for external advertising and hiring. For example, during the past year there were more than 50 vacancies in the public service for computer systems specialists. In response to this critical situation, the commission co-ordinated the development of a corporate advertisement which appeared in four major newspapers and subsequently established an inventory of systems personnel which was made available to all ministries.

I have been advised that many of the vacancies have been filled by qualified individuals who responded to the advertisement. We not only effected considerable savings, but also developed a co-ordinated approach to the recruitment of a particular job skill.

We have been successful in placing the majority of staff declared surplus as a result of the many adjustments taking place. To date, more than 80 per cent of all employees declared surplus have found alternative employment in the service. For example, during the fiscal year 1982-83, 969 notices of release were issued, many resulting from the relocations to Kingston and Oshawa, and only 87 employees had to be released. Six of those have subsequently been recalled to other positions. These figures clearly show our efforts to place employees are successful.

The government's policies are being reviewed to assess their adequacy in responding to anticipated work force adjustments. The emphasis in this review and in the initiatives which will result is on taking earlier action to prepare employees for impending changes and providing greater assistance for employees we must relocate, or develop new skills for, to meet changing job demands.

In addition, the commission has developed a technique for focusing quite precisely on the skills and knowledge requirements of a particular occupational group. The course of study now being developed for internal auditors is one example. An entry level training program for staff who show an aptitude for systems work, but who in the normal course of events would

not be eligible to apply for jobs in the systems field, is another example.

The same approach has been used to analyse the specific knowledge and skill requirements of middle managers in the public service. The results are already being used to revise the course offerings of the commission.

Last year the corporate management development program was initiated to provide quality training and development for senior managers and executives. This high priority program, which is funded by the commission, is designed to develop further executive skills and awareness of the issues which will have a significant effect on future management of government resources. It has been extremely popular with the client group, and there are waiting lists for several of the offerings.

The Civil Service Commission plans, as well, to encourage the development of individual middle managers who show promise as potential executives. Their managerial strengths and weaknesses will be assessed; then special assignments, secondments, developmental moves and other courses will be considered.

The honourable members will recall that the Inflation Restraint Act requires that all agreements expiring after September 21, 1982, be extended for one year from the expiry date or next anniversary date with a five per cent maximum increase in compensation.

The Ontario Public Service Employees Union asked that two benefits be implemented on January 1, 1983: an increase in shift premiums from 35 cents per hour to 40 cents per hour and an improvement in the co-insurance feature of the dental plan from 60/40 per cent to 75/25 per cent. It was agreed that the two benefit improvements would be implemented at a cost of 0.14 per cent of payroll with the remaining 4.86 per cent applied as a salary increase.

The act also provides for a minimum of \$750 and a maximum increase of \$1,000 to all employees earning \$20,000 a year or less. We exercised the discretion permitted under the act and awarded all eligible employees the full \$1,000. All category agreements are now in place for 1983, as is the collective agreement on working conditions and employee benefits. Increases have been awarded to employees in the management and excluded categories to provide five per cent, less the cost of benefits.

Discussions with the Ontario Provincial Police Association have also been concluded. The OPPA requested that no changes in any benefits or other cost items be made and that the full five

per cent be applied to salaries. This was acceptable to the government, and the agreement with the OPPA for 1983 is now in place.

I would like to take this opportunity to focus on our Ontario public servants in their role as concerned, community-minded citizens, which was demonstrated by their generous support of the United Way and cancer, heart and diabetes fund-raising campaigns. During 1982-83, public service employees throughout the Ontario government contributed \$1,197,000 to the United Way. This compared with \$1,025,000 raised in the previous campaign, a 17 per cent increase. The localized spring campaign, formerly known as heart-cancer, which was expanded this year to include support for Diabetes Canada, raised \$282,900, an even more remarkable increase of 20 per cent over the previous campaign.

Mr. Chairman, that concludes what I wish to say.

4:10 p.m.

Mr. T. P. Reid: Mr. Speaker, my opening remarks, unlike the minister's statement, will be relatively brief. I am glad to see there is some concern in Management Board about the security of information vis-à-vis computers. It is something the public accounts committee has urged on the government and particularly Management Board for some time.

I wish to talk about four or five topics in my opening remarks. I hope the Chairman of Management Board could make note of some of these questions. It might save us time when we come to the actual estimates. He made reference in his remarks to the Manual of Administration. In the last fiscal year, in the last year before public accounts, we have had a dichotomy of views, to say the least, as to what the Manual of Administration means, how it is to be applied and whether it is a direction provided by Management Board or a requirement that Management Board regulations be followed.

By my reading of the act, I can only presume, under section 3 of the act which details in specifics the authority of Management Board, the Manual of Administration is a document that requires compliance by those deputy ministers and also, interestingly, it says within the act, by the agencies, boards and commissions that are emanations of the government.

I am somewhat surprised the Chairman of Management Board did not make some reference to the speech contracts of the Provincial Secretary for Justice (Mr. Walker). This is a matter that has been in the public forum for almost a month now. It was almost two weeks

ago that the Chairman of Management Board indicated to questioners in the House that he would be looking into this matter and reporting. I am somewhat at a loss as to why he did not deal with these problems to some greater extent in his remarks.

I noticed that at about page 16 he made a fleeting reference to the matter of tendering the work of consultants, speechwriters and so on. He said we would at some point be very happy to hear about these things. We would have been happy to hear about them today while we are doing his estimates.

I would like to know what force and effect the Manual of Administration has. We had the Deputy Minister of Revenue who came in on at least two occasions almost in the same way Hydro works. He brought in so much information that nobody could follow what he was talking about. The Provincial Auditor had drawn to the public accounts committee's attention, through the special report the committee asked him to do, that the procedures in Revenue were not well laid down, particularly as they related to computer systems in government in that ministry.

When he was not patting himself and the government on the back, the minister probably spent 70 per cent of his remarks talking about computers and the computer age we are involved in. It is interesting that the committee found we were spending something like \$170 million in the last fiscal year in software, hardware, salaries and so on. Yet while the minister indicates some of these things are in the works, one did not get the impression the government had a good handle on the new technology and how it was to operate.

I am glad, for instance, to see that the minister indicated in his remarks he was concerned about the proliferation of computers, particularly microcomputers, throughout the government. They may not all be compatible one with the other, and we may very well find within different departments of the same ministry computer equipment that is not compatible within a ministry, let alone across the government.

But I stray from my original point about the Manual of Administration. Mr. Russell, the deputy minister, put on quite a performance before the public accounts committee. Basically, what he said—and I am sorry I do not have the quote here today, but I am sure the minister has heard it—was something to the effect that “the Manual of Administration is simply a guide, and if we choose to do something in a

different way, we just go ahead and do it.” In response to the question, “Was this cleared with Management Board?” the answers were, “Yes, it was,” and then, “No, it was not.”

We had the further example of the now—can I say Mr. Laschinger is *functus* or *defunctus*, to use one of the—

Mr. Nixon: These *functus* deputies have a habit of coming back to life once the odour blows away.

Mr. T. P. Reid: In any case, Mr. Laschinger was at that point assistant deputy minister in the then Ministry of Industry and Tourism, of all places. We will get to that a little further on in my remarks as well.

He was responsible for approving a contract without tender to a design and architectural construction firm for Future Pod. He was asked to appear before the public accounts committee and, with an arrogance I have scarcely seen evinced even by the Attorney General (Mr. McMurtry) of this province on occasion, he told the committee very bluntly that it was a management decision, that he had made the decision regardless of what the Manual of Administration said, and that he would make the same decision again if the circumstances called for it. In fact, he implied to hell with Management Board and to hell with the Manual of Administration, he was in charge and he was going to spend taxpayers' money the best way he saw fit.

The third instance that comes to mind in regard to the Manual of Administration took place only in the last month or so and concerned the salary of one Dr. Donald Chant, the person the Premier (Mr. Davis) plucked out of the realms of the environmental movement to be chairman of the Ontario Waste Management Corp.

It was a very interesting conjunction of events. We had Mr. Carman, who I believe is one of the best deputy ministers in the government—by the way, Bob, I hope that is not the kiss of death for you—before the public accounts committee, telling us about agencies, boards and commissions. Mr. Carman told the committee that the Manual of Administration was required to be followed.

We were talking particularly about agencies, boards and commissions, and Mr. Carman told us that the line of authority, as is indicated in the minister's briefing notes, is through the ministry that particular ABC comes under. In this case, we were talking about the Ontario Waste Management Corp. which answered through the Ministry of the Environment.

One of the questions somebody asked Mr. Carman was, "Do the salaries of the people in this particular ABC," which I believe is a schedule 2 agency, "have to be approved by the minister?" I am paraphrasing, but I believe Mr. Carman's answer was "Yes" or "Absolutely, yes."

4:20 p.m.

Not 10 minutes later, Dr. Chant, who had been sitting in the audience and had heard this exchange, was a witness before the public accounts committee. We learned that his salary had been set at something like \$92,000 or \$93,000, more than \$20,000 more than the salary any deputy minister in the government was getting at that point.

We asked Dr. Chant how his salary was set, and he said the board of directors set it. We asked if that salary did not have to be approved by the Minister of the Environment (Mr. Brandt), and Dr. Chant said: "No. Absolutely not." We learned subsequently that Dr. Chant's salary was set somehow through the auspices of both the Ministry of the Environment and the office of the Premier.

It became obvious to those of us who sat there that there had been some problem with Dr. Chant's salary. Dr. Chant seemed to have gone off on a frolic of his own and almost set his own salary. The terms and edicts—if I can put it that way—of the Manual of Administration and the accountability process through the Minister of the Environment seemed in this instance to have been completely neglected, to be polite, to be charitable. At worst, perhaps, they were knowingly abrogated.

Dr. Chant was before the standing committee on public accounts as late as last Thursday and we understand his salary now has been set, apparently with the Premier's office again getting into the act, at the level of a deputy minister.

If I may diverge for a second, Mr. Chairman, it always amuses me that the government sets up a lot of these agencies, boards and commissions for the express purpose in its mind of avoiding problems or cooling them down; then it finds the people it appoints come back to haunt it.

Not to speak ill of the dead, there was Judy LaMarsh and the study of violence in the communications industry. There was Patrick Hartt and the commission on Indians and the northern environment. Now we have Dr. Donald Chant in the same litany of mistakes and mismanagement the government falls into by

trying to avoid dealing with problems in the first instance.

I would like to have a definitive statement from the Chairman of Management Board as to just exactly what degree it is required that these people follow the procedures of the Manual of Administration. What happens if they are not followed? What happens in the case of Dr. Chant? He apparently got his salary knocked back and perhaps received a slight tap on the wrist.

But what happens to John Laschinger? I will not speak for other members of the committee, but I think even members of the government party were a little upset about his approach and attitude. We are concerned about the Ministry of Revenue not following the procedures—

Mr. Nixon: He didn't do much of a job for Crosbie either.

Mr. T. P. Reid: He did buy that big balloon for \$3,500. I hope they never make him secretary of Management Board. He put Crosbie in the hole some \$250,000.

Mr. Nixon: The only place he could work is in Ontario.

Mr. T. P. Reid: I will make a small wager that he will be back here—unless, of course, some unknown assailant hits Mr. Mulroney over the head in a dark alley and drops a whole bunch of Ontario Place buttons as he leaves the scene, hoping to get his boss another chance at it.

In any case, we would be particularly interested in the Manual of Administration. We would also be particularly interested in the problem concerning consultants and speechwriters. The first question I have is, who wrote this speech for the chairman? I trust it was not contracted out, although it sounds as bad as some of those the Provincial Secretary for Justice has been known to deliver on occasion.

I am sorry the Chairman of Management Board did not see fit today to say something about the Provincial Secretary for Justice's situation so we could clear the air. It is not as if this needs a great deal of time, effort or study. I would have thought the matter could have been dealt with by the Chairman of Management Board; he has some of the best civil servants in the province on his staff.

Incidentally, I note in the briefing notes that the minister has a staff of about 170. Just looking at the 1981-82 public accounts, volume 3, details of expenditures, it is interesting that approximately 140 of those people are earning over the \$30,000 limit. Some of those salaries are fairly

healthy. One wonders, that being the case, why we could not have had a report on this situation earlier. Second, one wonders why it seems to go on time after time.

I do not know whether it is worth rehashing the \$400,000 that was spent without following the Manual of Administration, section 50-3-2, on purchase and management of professional services. "The consultant's output can be measured against defined objectives. The scope in terms of reference for the project is clearly understood and documented. Skilled resources are not available for this project within the ministry."

I was leafing through the government phone book earlier today. The Minister of Agriculture and Food (Mr. Timbrell), no coy, shy, retiring maiden he, states right in there that he has a speechwriter. One can phone up that speechwriter by dialling the number that is listed right in the book.

We also have, of course, the whole situation; but we will not talk about the \$400,000 that went to Martyn and Gwyn Williams, without following the Manual of Administration, without following usual procedures.

Again, I can go through volume 3 of the public accounts and look at the high-priced help under the Ministry of Industry and Trade and the Ministry of Correctional Services and wonder why these speeches could not have been done in house. I thought the leader of the third party had a delicious line, if I may use that phrase, when he said he thought all these years that the former Minister of Industry and Tourism, now the Provincial Secretary for Justice, was only putting his own foot in his mouth when he made those speeches, but obviously it was somebody else's foot that was being put in his mouth and we were paying for the shoe leather as taxpayers.

The other matter that we have some interest in, again in relation to the Manual of Administration, is this whole business between the Deputy Minister of Government Services and the now functus—I like that word; I do not think it is a word, so let us say "defunct." My lawyer friend on the other side says "defunct"—the now-defunct Minister of Government Services.

Mr. Nixon: Lawyers say "functus"; real people say "defunct."

Mr. T. P. Reid: I understand lawyers eat quiche as well; so one can take it from there. However, the point is that not only was the Manual of Administration not followed in terms of these contracts let out or put out, authorized

and approved, and almost, one gathers, initiated by the deputy minister, but also a minister of the crown got the boot in the fight between him and his deputy minister.

It is a strange situation, to say the least, when an elected official trying to implement, one gathers, the government policy as reiterated here this afternoon by the Chairman of Management Board gets fired by the Premier for trying to do exactly that and the deputy minister remains.

I would have thought we might have had some comment from the Chairman of Management Board on this business. I would have thought, for instance, that in all that foofaraw and back-patting—and I will be the first, by the way, to say that I think the Chairman of Management Board and his staff, probably because generally they are so quiet, are probably one of the better organizations overall in this government.

4:30 p.m.

It was interesting that the chairman, given this first occasion of his estimates, said nothing at all about Mr. Gordon hiring a consultant at \$900 a day without going through the regular procedures.

I am looking forward to hearing about the instance where Mr. Gordon went out and hired a consultant—some kind of computer expert, I understand—to computerize all of Ontario's legislation. I do not have the figure at hand, but I think he did it for probably more than \$140,000. He computerized all our statutes, I gather, or most of them, and now he is in the happy position of selling that information back piecemeal to various government ministries and, presumably, to agencies, boards and commissions.

Not only was he hired, as I understand it, without going through proper channels and procedures but, second, having done the work and having been paid, one presumes, a reasonable amount of money, he is now in the process of leasing us back our own information—and I gather at a fairly good price. Maybe the Chairman of Management Board can tell us something about that as well.

It leaves a bad taste in people's mouths, not just the people in this chamber but the public at large, when they read about the government's efforts to practise restraint and that civil servants are restricted to a five per cent increase, all in the name of restraint, and then it seems that friends of the government and even friends of the deputy ministers receive contracts that most people would consider relatively rich,

without any proper procedures being gone through.

It is always of interest to me and frustrating, I must say, as a member of the opposition. I am not here to defend my federal brethren, but we hear all the foofaraw about Mr. Macdonald and his \$800 a day.

It is still mentioned day after day in the newspapers about how we have 1.5 million unemployed and this high-priced lawyer is getting \$800 a day. But the things that go on in the Ontario government never seem to be at best more than one-day wonders. I do not know whether it is the fault of the press or of us in the opposition or whether the public at large is apathetic towards these matters, but it puts the lie to a lot of things—unfortunately, the good things—that the Chairman of Management Board says he and his little band of happy followers are trying to achieve.

I want to talk as well about the contract employees. I am always interested to hear the numbers roll with such facility off the tongue of the Chairman of Management Board and the Treasurer (Mr. Grossman) about how many employees we have or do not have and how we are cutting them down. I would like to know whether the Chairman of Management Board can tell us how many contract employees there are in the government, how many of them there are in each ministry and what their contracts are. That would be very interesting.

I note, for instance, again—and I am using, unfortunately, the 1983 volume of public accounts; I have not been able to get volume 3 yet—that even under Management Board I see an item of \$1,123,820 for temporary help services for 1981-82: GO Temp, Wordpower Specialists and so on. Even the Management Board of Cabinet, that great shining beacon of restraint and example, is apparently bringing in people under contract or short-term work or seasonal work or whatever. That distorts the whole employment picture somewhat. As a matter of fact, before it slips my mind, one of the questions is whether the Chairman of Management Board has an outside speechwriter. Is the minister shaking his head “No”?

Hon. Mr. McCague: That is the third time you have asked that question.

Mr. T. P. Reid: I know, but is the minister shaking his head “No”?

Mr. Philip: Head shakes are not recorded in Hansard.

Mr. T. P. Reid: I will not ask for the name of

the civil servant who wrote this speech for him, because it is not all his or her fault.

Mr. Nixon: It is their fault.

Mr. T. P. Reid: Their fault, yes. I also want to talk somewhat about some comments or executive interchange. I understand the Chairman of Management Board has seconded some people to do some reviews of policy, analysis and programs. I am wondering what that really entails and whether Management Board participates in any kind of executive interchange with people outside the government. This is a technique that seems to be fairly popular at the federal level, which means that probably we should not follow it, but particularly in the computer field and some of these high-tech things it may well be something that would be useful, both from the civil service point of view and from the Management Board point of view and for the general benefit of the taxpayers.

The last matter I want to talk about—I do not wish to talk about it at length—is to reiterate the concern of the standing committee on public accounts and of the Provincial Auditor about tendering of contracts. Ever since I have been around, the Provincial Auditor has stated year after year that contracts have been let without tender, or that they had been under the \$15,000 limit but there had been three or four related to the same project adding up to well over the \$15,000 limit. There is obviously some cutting and pasting going on in that respect.

The last topic I wish to address briefly is the matter of merit pay. I think my friend the member for Etobicoke (Mr. Philip) will be referring to this as well. Frankly, I am confused about merit pay. I am confused as to whether it is efficacious at all. We have a definition as such from Mr. Waldrum of the Civil Service Commission. The more I hear about merit pay, the more confused I get.

It was interesting when the public accounts committee was down in Washington in October that we had someone from the Government Accounting Office, their equivalent of our Civil Service Commission, talk to us about merit pay. It seems to be one of those things that has been around, and is around, and nobody wants to deal with it. Mr. Waldrum, in response to the Provincial Auditor's report and to the public accounts committee on February 17, 1983, made these comments about merit pay:

“Information derived from performance appraisals can support administrative decisions such as the granting or denial of merit increases, promotions, transfers and other manpower plan-

ning decisions. However, this is not the primary purpose of such reviews. The primary purpose of such reviews is to improve or maintain high performance through the encouragement and enhancement of employee development."

Mr. Waldrum goes on further: "Our policy development review found that when administrative concerns influence the performance appraisal process, the primary objective, to improve organization effectiveness through employee development, can be undermined. Also, our explorations have shown that by requiring documentation, undue emphasis may be placed on administrative requirements to the neglect of the developmental performance appraisal process between manager and employee."

Then he goes on to reiterate what he said before: "The 1980 final report to the standing committee on public accounts noted that merit pay as applied to the Ontario public service to this point in time is merely the pay system which moves a new employee or an employee in a new job from the starting rate for the job to the job rate. In other words, new employees start at a level below the appropriate job rate and move in stages to the job rate as they acquire experience and knowledge on the job. This kind of progress quite properly is based on satisfactory performance and not on outstanding performance, as would be the case if an employee were moving beyond the normal maximum rate for the job."

4:40 p.m.

I find those two statements almost contradictory. I understand that there are steps in the merit pay business. As you progress, if you show up for work and are still breathing, by the sound of it, you get a merit increase up to the next step. However, we learn that in terms of merit increase, there are different percentages you are entitled to.

At one point, we were told if you did really well, or if you were average, you would get five per cent. If you were a little above average, you would get six per cent and if you were really outstanding, you would get eight per cent. That does not square with the normal steps you get as you learn and progress in your job. It is either one thing or the other. It is a reward for good performance, if you like, or it is a step thing that comes almost automatically as you live and breathe and show up for work.

The other thing that bothers me about the whole situation is that it seems to me there should be two parts to the performance appraisal system. One is that the employee should know

from the very beginning what is expected of him or her. That is the same system that is used to arrive at the merit increases, if they are such as I have described. The employee should have the right to know what is expected of him or her. He or she should be sat down at the beginning and told: "All right, this is what I expect you to achieve. At the end of the year we are going to sit down and we are going to go over A, B, C, D, E, F, G, to see how well you have met the criteria we have set for you."

I think that is important and I think the employee deserves that. If it were done in those terms, then the whole system would be acceptable to everybody. What bothers me about it is that it is one of those amorphous things, one of those things that seems to be paid attention to more by lipservice than by actual practice.

The public accounts committee, if I recall correctly, suggested that performance appraisals should go into people's personnel files. Mr. Waldrum told us they do not, because they could hurt high performance levels or injure employee development. I think that is a crock of nonsense. It seems to me, if people are doing performance appraisals correctly, then those things should be placed in the files of the employees. Someone may have some grievances, there is no doubt about it, but in the name of all that is holy, if employee A is working for the Ministry of Natural Resources and transfers to the Ministry of Northern Affairs, how does Northern Affairs know what it is getting? In fact, it does not.

One of the great shell games this government plays is to keep creating these new ministries. In a lot of cases, all the other ministries shuffle off a lot of people they have been trying to get rid of into the new ministry. The new minister, or the new person who comes along, does not know what he or she is getting. It just seems to me to be an exercise in futility to go through a performance appraisal and not have something in the personnel file on the people who have undergone the performance appraisal.

I am not minimizing the problem. I know the difficulties of people sitting down with the people they work with, year in and year out, day in and day out, and saying, "Now George, I am not very happy about this, that or the other thing. You need a little work here, a little work there, but on X, Y and Z, you are doing a marvellous job." It is to the employee's benefit that this be done, as well as to overall efficiency in the government as well.

I find it frustrating to see the government

paying lipservice to these kinds of things and saying we have this in place when the whole thing is no more than the whole matter of the usual smoke and mirrors which we experience in dealing with the people across the way.

Those are a few of my remarks. I will have some more specific questions when we go through the votes. I might put the Chairman of Management Board on call right now that I am going to be interested in some of the payments listed in volume 3 of the public accounts, particularly on page 178 under "Other Payments." This is 1981-82 as I have said. We see Arbitration Services Ltd., \$40,500; Foster Advertising Ltd., \$983,571; Freeman Communications \$42,649; Harry J. Waisglass Consultants Ltd., \$56,544; and Ken Penrose and Associates, \$34,735. There is even one listed here as, Management Board of Cabinet, \$83,347. I do not know what that is. Modern Information Communication Association Inc. was paid \$59,625. It would seem even the Chairman of Management Board is not without his friends.

Mr. Philip: Mr. Chairman, it is a pleasure to participate in these estimates. This is the first set of Management Board estimates on which I have been the critic for our party, and I believe as well it is the first set on which the member for Rainy River (Mr. T. P. Reid) has been the critic. I enjoyed listening to a number of his remarks. As a member of the public accounts committee of which the member for Rainy River is the chairman, I think he asked a number of very relevant questions that are of vital concern to those of us on that committee who are in the business of seeing whether there is value for money being spent.

I want to deal with his questions on merit pay at some length later in my remarks. It is certainly a question we dealt with as a public accounts committee when we visited Washington and some of the reservations I had about the whole concept of merit pay were certainly heightened by the studies done by the auditing office there and by various other studies that we looked at.

The issues, also raised by the member for Rainy River, about contracts and contract employees are also relevant and it is something I will want to deal with at some length. I will be interested in the minister's response to both of us.

I found the minister's speech to be interesting in parts, but I must say the speech reminded me of the old definition of periphrasis: "Periphrasis can be described as circumlocutory, pleonastic,

oratorical sonority, circumscribing an atom of ideology lost in verbal profundity."

When I was training managers at the university, I often found that the longer the term paper, the poorer the quality. Often a student who did not understand the basic issues would try to confound with jargon, figuring that if he repeated it enough and gave a long enough answer, either in examination or term paper, somehow the examiner would find the right answer in all the verbiage.

4:50 p.m.

I found a few interesting comments in there, not clear comments but comments that at least bear some attention. I would like to address some of them on the appropriate vote, but I found his comments, for example, on privacy, rather interesting. It is good to see that the government is finally moving on this issue, and I would hope we will be dealing with this at some length. It seems to me the problem we must come to grips with is that the privacy of individuals is in jeopardy not only from government but also from large corporations.

One wonders about the way in which this information is being used by corporations, either for their benefit or against the benefit of the employees, and by sales companies, either for or against the benefit of the consumers. One wonders when this government will finally come to grips with the need, perhaps, for privacy legislation. Indeed, to my knowledge, Quebec is the only jurisdiction in Canada that has come to grips with at least putting it into its freedom of information act, and I would like to deal with that at some length under the appropriate vote.

I also found some of the minister's comments on page 10 interesting, where he says: "We also seek to maximize government purchasing opportunities in support of the growth of Canadian manufacturing and research and development capabilities." However, I do not notice anywhere in there any mention of a policy either of buying unionized products or at least of buying products that are made by corporations that pay a union wage, so one has to ask what is the objective of this government. Is it in fact purely to buy at the cheapest price possible regardless of the exploitation of certain employees that may be taking place?

More specifically, it also does not deal with the whole idea of contract compliance. In the United States, of course, the American government has done that. It has in fact seen to it that those companies that discriminate against women in the work place will not obtain gov-

ernment contracts, yet this government has failed to come into the 20th century and deal with the reality of that. Indeed, only recently Fleet Industries received an award for development after being convicted of violations under the Human Rights Code in discriminating against women. One wonders why this government does not use its influence, its huge buying power, to see that those companies that discriminate against women are not able to obtain government contracts.

The minister made very slight reference to the whole area of what, for want of a better phrase, I would call the Walker affair. The Provincial Secretary for Justice gave a series of contracts to two private consulting firms; we all know that. In the public accounts committee, my colleague the member for Algoma (Mr. Wildman) moved a very specific notice of motion dealing with this:

"That the standing committee on public accounts set aside time prior to December 1, 1983, to call before it such persons, including the Provincial Secretary for Justice and the Chairman, Management Board of Cabinet, as may be necessary in order to ascertain whether the procedures outlined in the Ontario Manual of Administration were followed in the letting of contracts totalling \$153,000 for consulting services in connection with the opening of six technical centres in Ontario; and

"That the standing committee look at ways in which these procedures might be better provided for or specified in the Manual of Administration; and

"That the standing committee investigate whether similar practices have been or are being pursued by other ministries."

The member for Wentworth North (Mr. Cunningham) moved another motion that was complementary to that. I think that shows the concern by both of the opposition parties about the way in which these contracts were awarded.

The minister will recall that I had indicated in the House on October 21 that I would be moving a motion in public accounts committee to that effect. Unfortunately, because of a death in my family, I was not there, but my colleague the member for Algoma did a credible job in moving the same type of amendment. At that time, the member for Port Arthur (Mr. Foulds) asked the Chairman of Management Board for some specific information. I refer the Chairman of Management Board to the question.

The member for Port Arthur asked: "I wonder if the Chairman of Management Board can

clearly indicate to the House the essential question before us, not the one the Premier is trying to avoid, and that is whether the proper practices, the proper procedures, with regard to tendering contracts and completion have been followed in the case that is being discussed this morning in the House?"

That is the essential question, not who got the contract, what cronies they were, how they campaigned for whoever, but rather whether the appropriate procedures were being followed.

At that time, the Chairman of Management Board answered: "Mr. Speaker, I have not delved into the matters that are before us this morning or that appeared in the press. The person who wrote the article contacted me about speechwriting for ministers and whether or not it is covered in the Manual of Administration, which it is not. I understand that some other contracts are in question, and if the member would like me to I would be glad to look into it."

The member for Port Arthur came back with the supplementary question, "Does the minister not think that the guidelines and procedures outlined for management consulting services certainly should have applied in the case of the tech centre business?" In other words, what we were asking for was not the speechwriting contracts but rather the tech centre contracts.

I would like to deal with the speechwriting contracts later in my presentation because I would like to refer to parts of the Manual of Administration where I think it may be covered. I want the minister's comment on that.

The member for Port Arthur said: "The guidelines say very clearly that before seeking assistance from management consultants the ministry shall establish the feasibility of the project, ensure that consultants' output can be measured against defined objectives, that the scope and terms of reference for the project are clearly understood and documented, that skilled resources are not available for this project within the ministry and that, and I quote directly, 'ministries shall not retain individuals as management consultants for purposes other than management consulting as defined above.'"

The member for Port Arthur asked, "Can he tell us whether or not the project tendering requirement that all exceptions require the prior approval of Management Board for an exemption from tendering was followed?"

At that time the minister said: "The honourable member always starts off with 'Do you not think . . .,' and I am not sure what that means.

As I said, I do not at this moment recall a request for an award of a contract or whatever it is to the gentlemen in question ever having come to the board, and I told the member I would look into the matter."

I have been away for three days because of, as I mentioned, a death in the family, but I am told that answer has not been forthcoming. Because we did not have enough time in question period, in the limited time one has to ask a question, to deal with the matter when the member for Port Arthur and I raised it, I would like to go through with the minister those sections of the Manual of Administration which are directly relevant to this and ask him some fairly specific questions. I hope his answers will be of benefit when he eventually appears before the public accounts committee, but we may also be able to resolve some of the issues now.

The question is whether the procedures of the Manual of Administration were followed. That is clearly the essential question we in this party are concerned about. We are more concerned about that, whether there was a breach of the Manual of Administration, than whether somebody happened to be a friend of somebody else.

If we look at section 53 of the Manual of Administration, we start off with: "The objectives of this directive are to ensure that management consulting services are used only when appropriate and desired to ensure that management consulting services for projects can be obtained without incurring inappropriate time delays or procurement costs."

5 p.m.

Then we go into management consulting services. It says: "... professional services provided on the basis of a defined project by individuals or organizations, to investigate and identify management problems related to the policy, organizational, operational and administrative aspects of government, to recommend solutions to these problems and to assist in implementing the solutions."

Then it says: "Management consulting encompasses consulting services in the areas of policy, strategy planning, operational management, human resources, finances and information systems and technology. In addition to these traditional areas of practice, management consulting also includes multidiscipline studies of complex policy issues such as feasibility of resources, development analysis and alternative policy strategy and regional planning."

We go on then to a key section in it, having defined what exactly management consulting

was. It says, "Ministries shall not use consulting services in a quasi-employee or quasi-supervisory role to supplement ministry staff on a temporary basis."

We do not have the contracts tabled by the Provincial Secretary for Justice before us yet, but the minister knows the contract now. So the question one must ask is, has that guideline been complied with? In the case of the provincial secretary, was it used in a quasi-employee or quasi-supervisory role to supplement ministry staff on a temporary basis?

All the stories that come out in the press about the provincial secretary suggest he was claiming he could not get the services he required within the government. Therefore, this minister must ask whether or not those services the provincial secretary required were available in the government. If not, why was this section on project feasibility violated?

Then it goes on to project approval. It says, under item 4, "Specific Management Board approval is required for any project prior to initiating the project when the estimated total cost of the project is over \$10,000 and the project involves a financial information system or an organization study."

If it was a management consulting service, as it appears to be, if it does fall under 50-3, why did it not then? If it was not, did it have the prior approval of the Chairman of Management Board?

The key words occur on the next page. "All exceptions require the prior approval of Management Board for an exemption from tendering." That clearly is the question this minister has to address himself to here. When the member for Port Arthur and I asked the question in the House, the minister did not recall the provincial secretary coming to him. Now that the minister has had several days to look into the matter, we would like to know whether the provincial secretary did obtain that permission. If he did not, is he not in violation of the Manual of Administration? And what does the minister intend to do about it?

If the provincial secretary's action is not covered, then we run into a whole series of other problems. Clearly I would think this minister would agree that if the provincial secretary's action is not covered, it should be. Therefore, a reasonable question is, what action does the minister intend to take in keeping with the spirit of the Manual of Administration? It is fairly clear about the way tenders must be offered.

Further, what action does the minister intend to take to amend the Manual of Administration

so that this kind of thing will not be repeated, if his conclusion is—and I think that is a large if—that the provincial secretary was not in violation of the sections of the Manual of Administration I have just quoted to him?

The other question I found very disturbing in the press is Mr. Walker's claim—I am simply summarizing what he says; I do not have the exact words in front of me—basically of "Why pick on me? I am not the only guy who is doing it. Everybody is doing it." That is the old argument we were warned about in catechism class. Just because everybody else sins does not give a person a right to sin.

He says everybody is doing it; other ministries are doing it. I think if I were the Chairman of Management Board I would sure as hell like to find out which other ministries are doing it. If it is a repeated violation, who is doing it? If this is a way of getting around the Manual of Administration, then I would want to know which ministries are doing it and how, and I would find ways of putting a stop to it.

The Manual of Administration is designed to set out procedures by which the government conducts its affairs in an orderly and efficient manner. If there are ministries that are finding their way around it, how many ministries are doing this? Is Mr. Walker just fishing to try to get other people into the same stew he is now in over this, or are there other ministries? If there are other ministries, then it becomes an even worse problem than we originally thought when we uncovered the Walker problem.

It is the responsibility of this minister to spell out in no uncertain terms what procedures he plans to correct and any errors and omissions that may exist in the Manual of Administration, if there are errors and omissions, if there is the kind of action Mr. Walker claims other ministers have managed to walk through. In order to come to some reasonable analysis of what has gone on in the affair of the provincial secretary, it is clearly incumbent on this minister—if the provincial secretary had any respect for the Legislature, he would have already tabled the contracts—and it is clearly the responsibility of this minister to have examined the contracts, as he no doubt has already done, I would assume, the first day this came up. If I were the minister, I would be down in the office of the Provincial Secretary for Justice grabbing the contracts as quickly as possible, along with my lawyers, to look at them and to table those contracts in the House.

It is reasonable to table them either in the

House or table them with the public accounts committee, assuming that the motion of the member for Algoma or the member for Wentworth North will pass. If it does not pass, he could at least table them in the House so that we can ask some intelligent questions on them. We have a right as a Legislature to see those contracts so that we may pass judgement on whether there have been violations.

Section 50-6 sets out what it calls "creative communication." Here we deal with an area that the minister thought perhaps the speeches were not covered by. I would like to read one section of 50-6. Under the definition of what it calls "creative communication services," it defines them as "advertising, promotion, public relations and creative communication research."

Is speechwriting included under that definition? I do not know. Maybe the minister is right; maybe speeches are not covered under that. When we read further down, if it is not covered, should it not be covered? If, instead of having the usual public employees who are on the staff of the ministry assisting the minister in writing his speeches, if contracts are needed to help this minister or any other minister with his speeches, then surely that should be covered under this section on creative communication services. The definition is too vague. We really do not know the answer to that, and that is something we in the public accounts committee and we in the Legislature deserve some counsel on from the minister.

It goes on to say, "A short-term communication task with stated objectives and with the scope of service, estimated cost, timing and expected results clearly defined." That is what it defines as a project.

5:10 p.m.

Were the minister's speeches projects under that definition, or do they fall under the definition of creative communication services? We do not know, but the minister clearly should say something on that.

I also want to refer further down on the page on that same item. It says: "The acquisition of creative communication services, either through the agency agreement or for a specific project over \$15,000 is based on competitive selection procedures. Suppliers capable of capability presentations are reviewed and evaluated, using predetermined selection criteria."

One has to ask the question whether those people who provided the great speeches the member for London South (Mr. Walker) bestowed on us and the rest of the population, for which

the taxpayers paid so much, went through that kind of screening process. I think we know the answer. The answer is no. If so, then why is the member for London South not before this minister answering some very tough questions about why there appeared to be a violation of the Manual of Administration?

Then we go on to controls. "Records retention: Supply evaluation, selection documentation, calling reports, documenting the suppliers' service performance shall be retained for a period of one year after a contract is terminated." Was that done? If so, maybe we can see what we got for all the money we spent as taxpayers. Maybe the minister can table those. I would like to see a speech that costs thousands and thousands of dollars to the taxpayers.

It goes on to say: "Further procedural requirements on the acquisition of creative communication services are published in the guidelines, which are available from the executive co-ordinator, corporate advertising and special projects, Ministry of Tourism, "and so forth.

In the Manual of Administration, there is a theme. The theme is that one does not go outside for something that one can get inside. The theme is that one does not purchase something without a proper tendering process if it is over a certain amount unless one has prior consultation with and gets approval from the Chairman Management Board. I think we, as a Legislature, have a right to know the answer to some of those questions. Since we raised that issue in the House on October 21, one would hope the minister would have some responses for us by this time.

Before leaving the member for London South—and I would like to deal with some other aspects of the Manual of Administration—I find it interesting that we sometimes get big, brown-paper envelopes. The member for Rainy River raised the whole issue of contract workers. I would be interested in knowing if this minister, as the minister responsible for co-ordinating efficiency, knows how many contract workers moved with the member for London South when he moved from the Ministry of Industry and Trade to his new ministry. If the contract workers were hired for specific functions within the Ministry of Industry and Trade, then why would they be relevant in going to do work in another ministry?

My understanding is the number who moved could be as high as 17. I may be wrong on that. Sometimes the tips we receive from inside the public service are not accurate, but I would like

to know how many contract workers moved with the member for London South from one ministry to another. What were the terms of their contract? What were they hired to do? Why can they suddenly be picked up from one ministry, from work that was so important that they had to be hired on contract to do it because the regular public service could not handle it, and be locked into another ministry?

Maybe we have another flood of speechwriters here. Lord only knows how many speeches he has given if one requires 17 to turn out the quality of speeches we have heard from that particular minister.

Are there contracts arranged in the the Premier's office? That is an interesting comment. I am sure the member for Rainy River would be interested in the answer to that question. Are the contracts of the contract employees, the ones who worked for Mr. Walker and some of the other ministers, arranged—

Mr. Chairman: Order. I remind the member that he should not be referring to Mr. Walker but to the Provincial Secretary for Justice or to his riding name.

Mr. Philip: My problem was that I was referring to the minister in two portfolios. Therefore, it was easier to use his name.

Mr. Chairman: His riding might help then.

Mr. Philip: I am sure Hansard will make the appropriate substitution because they know my intention. However, I accept the Chairman's comments.

If the contracts were not arranged in the Premier's office, how did these people obtain their contracts? Who arranged them? It would be interesting to see some of these contracts. I would also be interested in knowing how many other contract employees there are for each of the ministries and how many of these have moved when ministers have moved. If we want to get specific when the minister answers, I would be happy to give him the names of certain ministers whom we would be particularly interested in. I can do that either off the record, so he can supply them to me, or on the record when he gives us the answer.

This whole business of contracts that we are faced with by the member for London South also raises an issue that we in the public accounts committee have been trying to get the answers to for some time, and that is the whole issue of government advertising. If we read the document called, Revised Draft for Cabinet and Central Agencies: Rules and Responsibilities,

which I believe was turned out by the legislative library, or it may have been turned out by the ministry—I do not have a title of the authors here—it says:

"Management Board performs the overall general management function for the Ontario government, and the board is the agent of cabinet responsible for ensuring the government's programs are managed appropriately. It is responsible for ensuring prudence, integrity and efficiency in the conduct of the government's business. It controls government expenditures, establishes overall management, technological and administrative policies and fulfils the role of the employer for the government."

That is why we in the public accounts committee are very interested in the operations of this ministry. One of the areas we have been trying to get some kind of handle on in public accounts for a number of years—and the chairman and I have asked for information and we have been unsuccessful—is the government's whole advertising program.

I have moved motion after motion. I have said that maybe it is important that we in public accounts look at what appears to be an expenditure on an annual basis that runs as high as four times the amount of the executive jet the Premier scrapped after public pressure; maybe it is important that we see whether there are clearly defined objectives for each of the advertising programs; maybe it is important that we see whether or not there is an evaluation of that. We have not been able to get anywhere because, of course, the government members on that committee constantly block any looking into the advertising.

When I asked the Minister of Government Services (Mr. Ashe), he said, "Each ministry is on its own." We have been able to obtain some figures through the legislative research service. I find it interesting, when we look at 1982-83 and 1983-84 for the information services and communications branch of the ministry, how we end up with some very large increases: the Ministry of the Attorney General, up 45.1 per cent; the Ministry of Community and Social Services, up 30.4 per cent; the Ministry of Consumer and Commercial Relations, up 20.4 per cent; the Ministry of Municipal Affairs and Housing, up 107 per cent. Note all the information we get from the Ministry of Municipal Affairs and Housing, whose minister does not seem to be

able to provide housing for the 18,000 families that are on the waiting list for municipal housing.
5:20 p.m.

Mr. Boudria: But he can tell us, though.

Mr. Philip: But he can tell us all there is an austerity program on. We get to the Ministry of Natural Resources: up 188 per cent, up considerably.

One has to ask, where is the management in this government that talks about cutting back on pensions of retiring public employees, teachers and hospital workers, many of whom are earning little, and tells us we need to tighten our belts, when we see how these ministries squander and increase the amount of money spent on government advertising? What we are talking about is millions and millions of dollars.

Just as the press and the Friedmanites have been aghast at the fact that Bennett in British Columbia who talks restraint is actually increasing expenditure, we have the same problem here in Ontario: they talk restraint, they freeze people's wages, they try to run a restraint program on the backs of working people but, when it comes to their own pet projects, when it comes to blowing their own horns, they do not have objectives that are clearly identifiable and they spend as though they were Santa Claus.

Where is the Chairman of Management Board ensuring that each advertising project has a set of objectives that is measurable and is evaluated? Would he help those of us in the standing committee on public accounts who are concerned about getting a grip on that, and those of us in the Legislature who are concerned about it, at least to find out what the objectives of each of the programs are, whether there are objectives that are clearly stated and what kind of evaluation there is on each of those government advertising projects?

I suspect that the answer will be no more helpful than the Minister of Government Services (Mr. Ashe) has given and that the government does not really want an inquiry into this area as to whether there is good management in it and value for money. If they did, of course, their members would not have blocked it time again in the public accounts committee.

I want to deal with another matter I have some difficulty with it because I am new to the portfolio, but I have some concerns and I wish to share them. I think some of the remarks I have made to date may be considered partisan in their nature—that is my job in opposition—but on this matter I would rather deal with it in

as open and nonpartisan a manner as possible, because I am concerned about the problem, and I am sure the Chairman of Management Board will share some of my concerns.

It seems to me, as someone who has trained both managers and trade union leaders in the past, that if a system is going to work it has to apply to all people in the same way so they feel there is an equal sense of justice. If one is going to have mechanisms in place, the people who are being served by them have to have some confidence in those mechanisms.

I know the Chairman of Management Board, and indeed our own House leader, and members of all the parties were involved in the preparation of Bill 78, the Legislative Assembly Amendment Act. There are some important changes in that act, some of which may be considered to be good and some not so good.

The crucial change is that recourse to the Public Service Grievance Board is abolished. It is true that the chairman of the hearing board is appointed after the Speaker has requested and considered the views of the chairman of the Public Service Grievance Board, but one has to question whether or not this is a substitute.

The current procedure allows the Speaker—and in this case we simply have to call the Speaker what he is, which is the employer—to appoint two of the three members of the hearing board, and in certain circumstances, all three.

I recognize that the Chairman of Management Board showed considerable flexibility when our House leader expressed concern about a proposal that would have given the Speaker even more power over that, the appointment of all three. It is to his credit that he showed some flexibility on that.

That fact the Speaker may not appoint all three is not the point. The point is, there is no fair arbitration process with one appointing two thirds of the arbitrators. Surely that is a basic principle we have to look at.

When my colleagues said, "It seems to be better than what we had in the past," I guess I have to understand why they feel that way. But at the same time, I have to ask whether there is more we can do in this process. I also have a number of concerns.

First, the Board of Internal Economy discussed successive drafts of the bill; I recognize that. Without going into the details of what went on there, my general understanding is that the bill that came out was considerably better for the employees than what was originally contemplated.

There are some positive changes. The disciplinary process can only be initiated by one of three senior officers. Before, the Speaker could proceed "if any complaint or representation is at any time made to the Speaker." The grounds for disciplinary action are now exclusively misconduct; before they were misconduct, unfitness to hold office and so on. One has to say that at least there are some improvements by going this route.

I argue, however, that Bill 78 still has some problems in it, and I hope the Chairman of Management Board will look at it in a nonpartisan way. It is problematic in terms of the removal of the access to the Public Service Grievance Board. It is problematic in terms of the stacked hearing board that has been substituted for it.

In summary, I would say that the bill does not go far enough in protecting the employees and that, given the scale of redefinition of the employee's rights, it ought to have received more attention, perhaps by me and by other members in the House. Having said that, I think it is time for Management Board to again look at this. The responsibility for not having looked at it more carefully is clearly the government's. Government has the leading role in this and the bill certainly deserves extra attention.

5:30 p.m.

I want to add one more thing. The employees of this House do not have a grievance procedure for anything except if dismissed, suspended or reprimanded. Employees cannot initiate a grievance for other things. In the case of one library researcher, that person had to make a very complex legal argument to get to the grievance board, because there was no way for an employee to grieve anything.

This was the case under the old act, and it is still the case. Civil servants, on the other hand, can grieve whatever action is taken by an employer if it is contrary to the collective agreement. But in the case of this nonunionized employee, that kind of option was not open without a very elaborate legal procedure. One has to ask why the government has two procedures.

Also, are there not inequities still in the way in which Bill 78, which became law, deals with employees? Supposing there is an employee, as in the case of this one I am acquainted with, who was clearly hired to do one type of work. The employer does not discipline or try to fire, does not give an evaluation that says the employee is incompetent, which could not be proved. The

employer simply assigns other work so the employee cannot perform in the profession the person was clearly trained for. That presents a problem. I suggest we need a more open grievance procedure which will allow us to come to grips with those kinds of management-employee problems.

I want to deal also with the issue of merit pay. The chairman of the standing committee on public accounts, the member for Rainy River, referred to some of his concerns. Some of his concerns are not directly related to the kinds of issues I have, but I think we both had an interesting experience on our trip to Washington and meeting with the equivalent of our Provincial Auditor. They have done an extensive study into merit pay and concluded beyond any reasonable doubt that it violated every management principle they could think of.

I will try to recall from memory what my basic concerns were, as raised by the study. First is that when an employee gets to management level or professional level, it encourages secretiveness. It also encourages employees who feel they are going to get that extra \$1,000 to practise one-upmanship with the boss on the guy next to him by getting on the side of the boss.

The study indicated that merit pay encourages employees to hold back on documents rather than share information, that it encourages an unhealthy competitiveness rather than co-operation, which is necessary in a professional type of environment, and that it encourages manipulation of management by employees.

In those instances where an employer or boss happens to be weak in his or her position, those employees who are threatening to that person may receive a lower rating. Therefore, merit pay tends in some instances to encourage rewarding those who are the least creative, have the least courage and are the least innovative. It instead rewards the "yes men" who are pleasing to the boss.

One of the things they found out—and our notes are still being prepared on those meetings; I wanted to have them for these estimates—was that there seemed to be no consistency, either from one department to another or from one department to another in the same area.

No one would disagree that when controls end, the kind of money some employees have lost through the lack of merit pay should be awarded to them, but the point I am making is that public servants should be paid for the job they are doing. We should not bring in artificial incentives of rewarding some and not others.

They are not measurable when one gets into certain areas.

I do not doubt that if you are a very hard-nosed 19th-century manager and you run a chicken plant, you can probably increase the production of chicken-plucking by giving some kind of incentive award to the guy who goes faster. When I hear the Provincial Auditor say he even measures his secretaries in that way, I wonder what kind of measurements are in place.

I do not feel very much confidence when I hear the comments of the Civil Service Commission. In the public accounts committee of October 29, 1981, Mr. Waldrum said on page 4, "One of the specific concerns is that our performance appraisals are always submitted in the written form." In fact, they are not. I believe the member for Rainy River has already pointed that out.

If performance appraisal, if merit pay is going to be based on a decision that is not even in writing, that one cannot define, that one cannot come back to and see whether there is some consistency in the evaluation, that one cannot measure, then one has to wonder whether it is not open to the caprice of management.

He went on to say: "Management is not in the lock-step merit increase. It is one that is almost exactly the wording that you have in your notes, which is graduated in accordance with the merit of the individual."

He further said: "I would have to say I do not think our union would greatly favour the idea that we would implement merit pay within the bargaining unit. Having said that, that does not mean that at some stage in the game proceeding to do that, but it would have to be negotiated with the union."

There is another problem. They say they are not going to do it with the union employees because the union will not go along with it, but it is okay to spring on the other guys who happen not to have the advantage of a union to fight for them.

I say to the minister, as someone who has been in the field of management training, that the whole concept of merit pay, when it becomes anything of an evaluation of professional people, becomes something that has proven itself to be ineffective.

In fact, it violates anything from Maslow's hierarchy of needs, to the Blake-Mouton grid or any other management study. You do not motivate people after a certain level, once you have paid them properly, by giving them these

artificial things. You motivate them by consulting with them, by involving them in decision-making, by providing the kind of work support systems that make their job meaningful, by giving them the kind of training that will help them progress in their position and by all those other things.

Merit pay is extremely divisive and simply creates the kind of sharkism that is unreasonable in modern management. I really question whether the minister should not take a stand on that. He should read some of the studies we have brought back from Washington once they are tabulated and deal with that essential issue.

I want to refer to the minister's statement, if I may, on page 10, which I found interesting. He says:

"Management Board secretariat, in consultation with the Ministry of Industry and Trade and government purchasing community, has continued its ongoing review of purchasing policies. This review is intended to ensure that we acquire and manage the goods and services required to deliver government programs in a manner which makes the best possible use of available financial, material and human resources."

I wish to ask a very specific question on that. Perhaps the minister has been asked this question before; not having been the critic, I am not aware of it. The Ontario government does not operate a central travel arrangements office. Each ministry, in accordance with the general guidelines established under the Manual of Administration, has its own procedures for travel arrangements.

According to officials at the management policy division of the Management Board, a central travel agency has been considered; however, because of factors such as the fact that travel is done out of many locations and some concern over the bureaucracy that would be needed to set up such an operation, this idea has not been acted on. I gather that the Ministry of Government Services has arranged special hotel and car rental rates and prepared a list of accommodation offered at a discount for government employees on government business.

5:40 p.m.

I guess the question is, if it is too bureaucratic to set up provincially, then why has the federal government been so successful with it. The federal government established a central travel service office within the Department of Supply and Services in 1968 to provide reservation and ticketing service for civilian federal government

departments and agencies across the country. Canada's two major airlines, Air Canada and CP Air, provide domestic and international reservation and ticketing services in both official languages under contract to the federal government at 32 locations in Canada. These two carriers also provide connecting services to any destination in the world.

If we look at the federal scene, the airlines are also under the direction to find the cheapest fare possible and the most direct routing. This reservation system can also accommodate personal preferences with the overall financial guidelines for civil service travel.

Some of the perceived benefits of this, according to the federal officials we talked to, have been the provision of fast, efficient and economical centralized service, reduction in the costs of government travel and minimization of the involvement of departmental staff in making detailed travel arrangements. They contend that Supply and Services also provides periodic quality control checks on the airline reservation and ticketing service, so we have a built-in mechanism to make sure the airlines are providing value for money to the government.

In view of the volume of business involved and the fact that the airlines do not have to pay travel agent commissions, the airlines find it attractive to provide this service with no direct charge to the taxpayers. Indeed, the airlines pay Supply and Services a fee of one per cent of net billings, which covers the cost of the travel service, carrier payment and customer department billing operations. This arrangement with the airlines for travel, accommodation and car rental worldwide probably also accounts for the small size of the central travel service operation, which in the federal government currently consists of only six staff members.

So one must ask, if the federal government can provide this service and can, as it claims, save taxpayers money, what has this ministry really studied. What studies have they done to conclude otherwise? Or is it simply another one of those situations in which somebody says, "Well, we'll look at it," and provides a pat answer so the opposition will go away and not raise the question again?

If a company like Imperial Oil can provide that same service to their employees as a way of saving money for Imperial Oil, why cannot the provincial government do it as a saving to the taxpayers? Imperial Oil, for example, is a large private firm that has a central air transport and reservations department to handle staff travel

arrangements. This central arrangement, they claim, is felt to be efficient. Its office has computer connections to Air Canada and American Airlines ticket reservation systems and is able to issue airline tickets.

Again, if we look at other private enterprise companies, we see that Bell Canada does not have a central travel office, but five years ago American Express was given responsibility for making the travel arrangements for Bell. In fact, American Express runs what amounts to the co-ordinating office or the travel office.

Those are some of the issues I wanted to raise with the minister. I hope we will have an opportunity later to deal in some depth with the issue of privacy, which I consider a major issue, and to find out why there is no indication that the government may be even thinking of privacy legislation. With those remarks I will end, and hope the minister might respond in some detail to me and the member for Rainy River.

Hon. Mr. McCague: Mr. Chairman, may I move down, please?

Mr. Chairman: Certainly.

Mr. Haggerty: Move right out the door.

Mr. T. P. Reid: We will certainly give you a more sympathetic hearing on that than your cabinet is prepared to give us on office space.

Mr. Chairman: I am sure the minister is going to ignore interjections. Does the minister intend to respond at this time?

Hon. Mr. McCague: Mr. Chairman, I think the member for Rainy River started off on the issue of the relationship of deputy ministers—I think Mr. Russell was the first one he raised—and the authority which the Manual of Administration carries. I am referring here to a letter I wrote previously to the member. He wrote me in April regarding those two matters. I said there was no organizational reporting relationship between the deputy ministers and Management Board. The deputy ministers are directly accountable to their ministers.

To continue: "Nevertheless, Management Board and deputy ministers do share common goals in respect to the successful implementation of government programs. Deputy ministers, under general ministerial guidance, are responsible for delivery of government programs.

"In addition, Management Board develops and promulgates the administrative policies and guidelines which facilitate the prudent and economic operation of government programs. The board, as a committee of cabinet, acts in an

overview capacity both in terms of the financial and personnel resources used and results achieved.

"The Manual of Administration, volume 1, contains the administrative policies. These administrative policies are mandatory. The responsibility for ensuring compliance of the policies throughout each ministry rests with senior and ministry management.

"If, due to special circumstances, a ministry feels it is not able to comply with an administrative policy it can seek an exemption from Management Board at any of the board's regular meetings.

"The Manual of Administration also contains guidelines. These are recommended but not mandatory practices. Ministries normally comply with the guidelines. However, they may at their discretion depart from the guidelines, provided that there is good reason to do so. Normally, such departures from the guidelines are documented in the ministry's own Manual of Administration and often represent a ministry's specific policy or interpretation of the general guidelines." The member, in his letter, referred specifically to the testimony of Mr. Russell before the committee. "In his testimony he refers to noncompliance with a few of the standards in the Manual of Administration on the spectrum system." I am assuming any comments about deviations from the rules referred to the spectrum methodology.

I think probably those are the relevant points.

Mr. Conway: What does all that mean?

Hon. Mr. McCague: You understand, I am sure.

Mr. Conway: I am not so sure I did.

Mr. T. P. Reid: I am still confused.

Hon. Mr. McCague: The member for Rainy River raised the question of the ministry and its tender for Future Pod, I guess it was. As I said in the other letter, the deputy minister does have the power to waive competition where the related procedures would result in unacceptable delays in program delivery. As the member probably knows, we were not involved at Management Board in that item. I guess the member will have to ask any specific questions about that of the Minister of Tourism and Recreation (Mr. Baetz).

5:50 p.m.

The member asked about Dr. Chant. That is one I will have to look into to see whether we dealt with that item at Management Board. I do not recall it having been dealt with by us.

The member raised the issue of my being

rather slow in answering the points that were raised regarding the Provincial Secretary for Justice (Mr. Walker) a week ago Friday. I still have not had an opportunity to look into that as fully as I would like to. I was away all last week and just returned late last evening.

Mr. Conway: Where were you?

Hon. Mr. McCague: For the member's information, I was in Switzerland last week.

Mr. Conway: On very important business.

Hon. Mr. McCague: Very important business.

Mr. Conway: Alan Gordon was wine testing.

Mr. Chairman: Would the minister continue with his comments and ignore the interjections.

Hon. Mr. McCague: I will be prepared for that tomorrow, if there are questions during question period, and in my estimates, which I understand will carry on Friday next.

One of the questions asked by both members of the opposition was on the question of merit pay. That is a complex and difficult issue which I think all companies, institutions, government and so forth, have had great difficulty with.

The member for Rainy River raised the issue of some conflicting points of view he thought he had heard from my deputy, Mr. Waldrum. I think such may have been the case. All we can do is talk about merit increases in the context of present policy. They are affected by the Inflation Restraint Act.

In the management classes, I presume we are talking about the year 1983 on those. No, I do not think we are. I think I have been handed the wrong piece of paper, so I will refer back to it.

Reference was made to the matter of the contract regarding QL Systems and computerization of the statutes. The question was, was the proper procedure followed and did the government obtain value for money? Some reference was made to the fact that this gentleman, having done his work, was then in a position to sell information back to government.

We did receive at Management Board a request to approve a contract to QL Systems for the provision of a computerized version of the statutes of Ontario. The award was approved on the basis that QL Systems was the only known supplier of such a service. The government required a computerized version of the statutes so that word processing systems and photocomposition equipment could be used to automate the updating and printing of the statutes. Productivity gains from using this new technology made the investment cost-effective.

QL Systems had already translated most of

the Ontario statutes into a computerized form; therefore, it was cheaper to use them than for the Ministry of Government Services to hire new staff and key this information into computerized form itself. The approval by Management Board was on the understanding that the Ministry of the Attorney General would also use the same computerized version as part of its planned new maintenance system for the statutes in the office of the legislative counsel. So that particular contract did come to Management Board and was approved as an exemption from tendering.

Mr. T. P. Reid: Was that a one-shot proposition, or do we have to pay every time we use it? Did we get the system, or do we still rent the information from QL?

Hon. Mr. McCague: We still rent the system from QL.

Mr. T. P. Reid: We have the software program in our hands now; the government has it. We do not have to go back to QL and say we want a printout or whatever. Is that correct?

Hon. Mr. McCague: I will have to get you the answer to that.

Then a question was raised about the number of contract employees. As of August 31 of this year there were—did you ask me the number of contract employees?

Mr. T. P. Reid: Yes, by ministry if you can give them to us.

Hon. Mr. McCague: I am sure I can read these figures to you. They are: Municipal Affairs and Housing, 250; Industry and Trade, 135; Ontario Development Corp., 21; Labour, 387; Natural Resources, 7,566; Transportation and Communications, 1,546; Tourism and Recreation, 1,967.

The total of classified staff as of August 31—and you have to remember a lot of the parks people and MTC people are still on staff—was 66,725. The total of unclassified staff was 25,689. I do not have the end-of-the-year figure right here at my fingertips, but I am not sure what your question is in particular.

Mr. T. P. Reid: We will go into that next Monday.

Hon. Mr. McCague: Okay. I have lost my list here for the moment.

The Acting Chairman (Mr. Treleaven): Viewing the clock, does the minister wish to end until the next time with his estimates?

Hon. Mr. McCague: Yes.

On motion by Hon. Mr. McCague, the committee of supply reported progress.

The House adjourned at 6 p.m.

CONTENTS

Monday, October 31, 1983

Statement by the ministry

McMurtry, Hon. R. R., Attorney General:

French-language services 2590

Oral questions

Brandt, Hon. A. S., Minister of the Environment:

Pollution in Lake Ontario, Mr. Ruprecht. 2593

Davis, Hon. W. G., Premier:

Nuclear energy, Mr. Rae, Mr. Peterson. 2587

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Child restraints, Mr. Boudria, Ms. Bryden. 2595

Gregory, Hon. M. E. C., Minister of Revenue:

Retail sales tax, Mr. Peterson, Mr. Breagh. 2586

McCaffrey, Hon. B., Provincial Secretary for Social Development:

Funding of transition houses, Mr. Peterson, Mr. Rae, Ms. Copps. 2585

Homes for special care, Mr. R. F. Johnston. 2594

McMurtry, Hon. R. R., Attorney General:

French-language services, Mr. Rae. 2590

French-language services, Mr. Rae, Mr. Boudria. 2592

Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities:

Remembrance Day, Mr. McGuigan, Mr. Bradley. 2592

Equal opportunities for women, Mr. Foulds, Mr. Wrye. 2597

Developmental centres, Mr. Bradley. 2597

Wells, Hon. T. L., Minister of Intergovernmental Affairs/Acting Minister of Health:

Extra billing, Mr. Cooke, Mr. Laughren, Ms. Copps. 2595

Petitions

Inflation restraint legislation, Mr. O'Neil, Mr. Di Santo, Mr. Yakabuski, Mr. Rae, Mr.

Swart, Mr. Hennessy, Mr. Treleaven, Mr. Cooke, tabled. 2598

First readings

Power Corporation Amendment Act, Bill 104, Mr. Peterson, agreed to. 2599

Power Corporation Amendment Act, Bill 105, Mr. Conway, agreed to. 2599

Committee of supply

Estimates, Management Board of Cabinet, Mr. McCague, Mr. T. P. Reid, Mr. Philip, adjourned. 2599

Other business

Printing of legislative papers, Mr. Speaker, Mr. Martel. 2585

Adjournment. 2624

SPEAKERS IN THIS ISSUE

Boudria, D. (Prescott-Russell L)
Bradley, J. J. (St. Catharines L)
Brandt, Hon. A. S., Minister of the Environment (Sarnia PC)
Breaugh, M. J. (Oshawa NDP)
Bryden, M. H. (Beaches-Woodbine NDP)
Cassidy, M. (Ottawa Centre NDP)
Conway, S. G. (Renfrew North L)
Cooke, D. S. (Windsor-Riverside NDP)
Copps, S. M. (Hamilton Centre L)
Davis, Hon. W. G., Premier (Brampton PC)
Di Santo, O. (Downsview NDP)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Gregory, Hon. M. E. C., Minister of Revenue (Mississauga East PC)
Haggerty, R. (Erie L)
Hennessy, M. (Fort William PC)
Johnston, R. F. (Scarborough West NDP)
Jones, T., Deputy Speaker and Chairman (Mississauga North PC)
Laughren, F. (Nickel Belt NDP)
Martel, E. W. (Sudbury East NDP)
McCaffrey, Hon. R. B., Provincial Secretary for Social Development (Armourdale PC)
McCague, Hon. G. R., Chairman, Management Board of Cabinet (Dufferin-Simcoe PC)
McClellan, R. A. (Bellwoods NDP)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)
Nixon, R. F. (Brant-Oxford-Norfolk L)
O'Neil, H. P. (Quinte L)
Peterson, D. R. (London Centre L)
Philip, E. T. (Etobicoke NDP)
Rae, R. K. (York South NDP)
Reid, T. P. (Rainy River L-Lab.)
Ruprecht, T. (Parkdale L)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
Swart, M. L. (Welland-Thorold NDP)
Treleaven, R. L., Acting Chairman (Oxford PC)
Turner, Hon. J. M., Speaker (Peterborough PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Yakubski, P. J. (Renfrew South PC)



Hansard

Official Report of Debates

Legislative Assembly of Ontario

Third Session, 32nd Parliament
Tuesday, November 1, 1983
Afternoon Sitting

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

Hansard subscription price is \$15.00 per session, from: Sessional Subscription Service, Information Services Branch, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, M7A 1N8. Phone (416) 965-2238.

LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, November 1, 1983

The House met at 2 p.m.

Prayers.

Mr. Laughren: Mr. Speaker, I rise on a point of privilege. As you and other members know, annual reports of the various ministries frequently cross our desks. I believe there is a point of privilege in the annual report of the Ministry of Government Services, but I seek your direction in that regard.

Invariably in the annual reports, on the front page there is a message from the minister with an appropriate picture and on page 2 there is a message from the deputy minister with an appropriate picture. In the annual report of Ministry of Government Services, on the front page there is a message with an appropriate picture of the deputy minister, Mr. Alan Gordon, and on page 2 a picture and a message from the Minister of Government Services (Mr. Ashe).

I wonder whether you think there may have been a bloodless coup d'état in the Ministry of Government Services and whether you think there is a threat to the traditions of this honourable institution.

Mr. Speaker: Quite obviously that is not a point of privilege; how they arrange their affairs in the ministries is really no concern of mine.

STATEMENTS BY THE MINISTRY

FAMILY VIOLENCE

Hon. Mr. Walker: Mr. Speaker, family violence is a problem which is of the highest priority for the Ontario government. It is a particularly repugnant act, focusing as it does on those who are often the most vulnerable and most deserving of our help, such as women, children and the elderly.

Recognizing the importance of this issue, I am pleased to be joined by my colleagues the Deputy Premier and Minister responsible for Women's Issues (Mr. Welch) and the Provincial Secretary for Social Development and acting Minister of Community and Social Services (Mr. McCaffrey) in announcing today the government's new initiatives on family violence, particularly in the area of wife battering.

Earlier this year, as Provincial Secretary for Justice, I was charged with the responsibility of

co-ordinating the response of Ontario government ministries to the first report on family violence: wife battering, prepared by the standing committee on social development.

To give this task the high priority it deserves and to develop detailed responses to the committee's 47 recommendations, it has been necessary to solicit the utmost in co-operation from virtually every ministry in this government. I believe the quality of our joint response reflects the excellent spirit of co-operation and enthusiasm that all ministries brought to this important task.

At this point, I would like to acknowledge and commend the standing committee on social development on a job well done. Its report has been most instrumental in raising public awareness of this important problem. The committee's report was of great assistance to us in developing the Ontario government initiatives we are announcing today.

There are no quick and easy solutions to the complex problem of family violence. The problem demands an integrated and comprehensive approach which not only will respond to the needs of current victims but will also serve to prevent a future chain of violence in generations to come.

The issue we are addressing today is an enormously complex and destructive one which touches many segments of society. As has been pointed out before, wife battering is not just one problem; it is a composite of many problems. It is a health problem, a legal problem, an economic problem and an educational problem.

Most immediately, it is a physical problem. Battery is the single major cause of injury to women—more than auto accidents, rapes or muggings. Although it is almost impossible to obtain exact statistics, it should be mentioned that in the United States up to 4,000 women are beaten to death annually, and nearly six million women are abused by their husbands every year.

Finally, wife battering is an information and communication problem. It has been a closet issue for so long that very few people, whether they are friends, relatives, co-workers or even legal authorities, are really aware of the victim's

plight. Therefore, the victim faces an uphill struggle in explaining the battering situation and in recovering from it.

The complexity of family violence demands action on many fronts. In recognition of this fact, I have been working with other government ministers in both the justice policy and social policy fields to develop a wide range of initiatives.

In addition to reviewing carefully the report of the standing committee on social development, we have also considered the problem more broadly through a study of other reports such as the report of the Federal-Provincial Task Force on Justice for Victims of Crime, the Metropolitan Board of Commissioners of Police Task Force Report on Public Violence against Women and Children, and various reports produced by the Ontario and Canadian Status of Women Councils.

Needless to say, there are no easy solutions. No one example dictates the norm. In fact, the victims of battering do not always speak with a uniform voice when they ask for help. One victim may want to return to her spouse, another may want to arrange a trial separation, yet another may want to get as far away as possible; but all want the battering to end.

To begin this government's announcements today, I would like to announce the following new initiatives to be undertaken by the government of Ontario.

First, to better identify the root causes of wife battering and the most effective means of preventing it, a special research, information and pilot project fund has been established to support projects in this area. This fund, to which several hundred thousand dollars have been committed, will be used to finance a variety of projects over the next two to three years.

Projects supported by this fund will include such things as (1) a research project to consolidate and assess information on the causes of the most effective means of preventing wife battering; (2) a special project on counselling programs and self-help groups for batterers; (3) a project to assist victims of wife battering who live in rural areas; (4) a project to assess the speediest and most effective methods of providing effective protection to battered wives; and (5) a special project on the most cost-effective ways and means of providing legal information and support services to battered wives. This will include an assessment of the victim advocacy programs, victim witness assistance projects, complainant support programs, etc.

Second, a major provincial conference on wife battering will be organized to bring the dedicated personnel providing front-line services face to face with the policymakers. Together, they will develop specific action plans to address individual problem areas. Following this conference, an implementation group consisting of representatives from both groups will be established to advise and follow up on the implementation of the action plans.

Third, major new initiatives undertaken by the Solicitor General (Mr. G. W. Taylor) and the Attorney General (Mr. McMurtry) in the past year are being expanded and reinforced. In November 1982, my colleague the Solicitor General directed the Ontario Police Commission to encourage all police forces in the province to lay charges in wife battering incidents where reasonable and probable grounds exist. In conjunction with this move, the Attorney General directed Ontario's crown attorneys to vigorously prosecute assailants in domestic violence cases. To monitor progress in this area, the Solicitor General has now requested all police forces to provide a report by the end of 1983 on the results of implementing the November 1982 directive.

2:10 p.m.

Fourth, we are expressing our serious concern to the federal government about the special irony in current immigration laws concerning battering victims. Many victims—sponsored immigrant wives, for example—may be dependent on spouses who are battering them for their very right to stay in this country. Therefore, I have written to the federal Minister of Employment and Immigration, requesting that specific changes be made in the Immigration Act to prevent such sad and unfair dilemmas from occurring.

During a major conference on family violence held this past week at the Ontario Police College in Aylmer, the Honourable Robert Kaplan, Solicitor General of Canada, acknowledged the need to address problems I had raised. Both he and the Honourable John Roberts have indicated the willingness of the federal government to undertake a review of this matter.

I wish to point out that the initiatives I have outlined today are in addition to the numerous other actions taken in direct response to the social development committee's recommendations. Those initiatives are outlined in a rather extensive document I am tabling today in conjunction with the Deputy Premier.

I am also pleased to note that the dozens of

initiatives outlined in our response to the committee's recommendations cover virtually every area of concern raised by the committee.

The members will note that many of the recommendations contained in the committee's report require action on the part of the federal government. In all these cases, either I or my colleagues have written to request the federal government to undertake the desired action.

I am delighted to be able to say that the ministries have accepted the majority of the standing committee's recommendations. Indeed, action was already planned or under way to address all the major issues raised in the report. There are, of course, some areas where the ministry involved accepts the intent of the recommendation but believes the problem can be addressed better by a different mechanism which past experience dictates is more suitable to the task.

For example, the standing committee has made a proposal in regard to the development of uniform sentencing in wife battering cases. It is the view of the Attorney General that uniform sentencing would present particular difficulties in family violence cases because of the wide degree of differences in circumstances and fact. Rather, the Ministry of the Attorney General has directed the crown attorneys on the importance of making vigorous representations on adequate sentencing in each individual case in order that the sentencing can reflect the severity of the particular case.

In all, however, I feel this document should be regarded as a most positive response by all the ministries involved to one of the most difficult issues facing this government.

It should also be regarded as further evidence of this government's commitment to better serving the victims of crime. I believe that too often a victim is actually victimized twice, first by the perpetrator of the crime itself and then by a society which fails to understand the extent of the damage brought on by the crime.

I am therefore confident that although with these measures we do not pretend to solve this acute sickness in our society, we are making bold, progressive steps towards the resolution of the sad inequities that exist today and the prevention of the human tragedies of tomorrow.

I would like at this time to table the report of this government in respect of Family Violence: Wife Battering, Ontario Government Initiatives.

Hon. Mr. McCaffrey: Mr. Speaker, my colleague the Provincial Secretary for Justice has expressed this government's commitment to

meeting the needs of women who are the victims of family violence.

It is an issue the Ministry of Community and Social Services considers a top priority. Right now, in partnership with municipalities, we are providing funding for some 40 emergency shelters primarily for battered women and their children across the province.

We are in the process of developing 12 family resource centres in small underserved communities across the north for women in crisis. I am pleased to be able to inform the members today that we now have agreements with six municipalities to begin construction of family resource centres this fiscal year.

I will not go into the details of other initiatives being undertaken in this important area because we have gone into them before, both in estimates and in the document being tabled today, the government's response to the report of the standing committee on social development.

Although the number of emergency shelters for women who are the victims of family violence has increased significantly in recent years, a number of these shelters are experiencing funding difficulties. Because of the crisis nature of the service, fluctuating occupancy levels and funding based on actual occupancy, some shelters are experiencing severe cash flow problems.

Other shelters are located in smaller, more remote centres and rural areas, with a smaller base of community support; consequently, they have not had the opportunity to co-operate with local municipalities and voluntary organizations. It is possible that still other shelters are offering more capacity than is required. In addition, a significant number of shelters are at risk of losing federal support in the very near future.

We recognize these as very real and pressing problems for a number of shelters. As acting Minister of Community and Social Services, I would like to announce that the government of Ontario is committing an additional \$4 million for services for battered women. The majority of this new money will be spent on improved funding for shelters for battered women.

First, we will be providing short-term assistance to those particular shelters with the most pressing financial difficulties caused by such factors as federal withdrawals and fluctuating occupancy. It is our intent to ensure that no emergency shelter that is operating efficiently will be closed as a result of the withdrawal of federal funding or for any other reason.

Second, we will be stabilizing the funding of all emergency shelters for battered women. We

will be consulting with municipalities and operators of these shelters to develop an equitable funding formula that will provide stability to all shelters and at the same time recognize unique community needs.

In addition, we will be approaching the federal government to resolve some of the problems with current cost-sharing restrictions.

At present, Ontario receives financial support from the federal government on a cost-sharing basis to assist the victims of family violence in crisis situations. The drawback in this system is that it involves a needs test. It does not seem either appropriate or fair to subject people in the midst of pain and suffering to questions on their ability to pay for assistance, especially in a short-term situation, and this government is negotiating with the federal authorities to change these conditions.

We will also be discussing federal priorities in the area of capital funding for these shelters to cover startup costs, renovations and repairs as well as new construction.

While the funding of emergency shelters is certainly the most pressing need in this area of services to battered women, there are other areas of need as well. We plan to address some of these other needs through the appointment of special ministry staff to work with the women's directorate in the office of the Deputy Premier and with other ministries in developing an integrated family violence prevention program.

These initiatives demonstrate the province's deep concern about this important social problem, and I am confident they will go a long way towards meeting the social service needs of women who are the victims of family violence.

Hon. Mr. Welch: Mr. Speaker, I am happy to join today with my colleagues the Provincial Secretary for Justice and the Provincial Secretary for Social Development and acting Minister of Community and Social Services in their announcements of a number of initiatives to help victims of domestic violence and to help prevent that most unacceptable of offences. May I extend my congratulations to the two ministers for their leadership in developing a slate of initiatives that move to address this urgent concern.

You will remember, sir, as members of the House will, that last December you received the report on wife battering from the standing committee on social development. That committee courageously looked at ways that our criminal justice system and our social service support systems deal with this pervasive and

persistent offence. The response to the social development committee's report, which has now been tabled by my colleague, reinforces our ongoing measures and reaffirms our commitment.

2:20 p.m.

The hearings and the deliberations of the committee must, I believe, be credited with bringing the sad plight of these women on to the public agenda. The crime of domestic violence has been called a hidden tragedy, because so many victims feel helpless and powerless.

In a sense, any response to their suffering seems inadequate. Yet I stand with my colleagues in this assembly completely committed to ensuring that the full weight of our legal and social support systems be brought to the service of victims of domestic violence.

I am sure members of the assembly would agree with me that it is really shattering to learn, as we did from the committee's report, that one woman in 10 in Canada is the unfortunate victim of brutality in her own home. It is a fact as well that many of these people do not know that they do not have to tolerate such treatment. Many such women and many batterers do not know that our laws entitle everyone to safety and security of person. Indeed, we all have the legal right not to be assaulted.

The dissemination of that information among families and among professional groups ranging from law enforcement authorities to medical personnel, clergy and social workers is one of the challenges facing us at this time. We believe, moreover, that as a government and as a society we must move at this time to be more assertive in providing concrete help for victims of domestic violence.

Therefore, I am pleased to be able to announce two additional measures that are being undertaken by this government.

First, we are appointing a provincial co-ordinator for family violence to be located in the office of the Deputy Premier. Further details of this appointment will be made shortly. The provincial co-ordinator will enter discussions with other levels of government, particularly the government of Canada, aimed at ensuring adequate services for victims.

Among other functions, the co-ordinator will chair a steering committee of Ontario government ministries, including the Justice and Social Development policy secretariats, the Attorney General, Correctional Services, the Solicitor General, Health, Education, Colleges and

Universities, and Citizenship and Culture, to name a few.

The co-ordinator will liaise with community groups involved in providing shelter and other services to battered women. Furthermore, the co-ordinator will provide assistance in the development of education and public awareness and help us assess and prioritize projects to address specific problems facing these victims.

This initiative will be supported by a public education program to begin in the early part of the new year, and that program will have a number of purposes. One is to make people aware that assaulting vulnerable members of the family group is a crime. The program will also focus attention on the help that is now available to assist victims of these crimes and will aim at prevention.

We do not really know the causes of wife abuse, as we have been told, but we do know that they are complex. We can address this offence by letting people know without any qualms that it is unacceptable and is in fact a criminal offence that need not, must not and will not be tolerated in this jurisdiction.

I want to commend my colleagues the Attorney General and the Solicitor General for their work in this area. They have undertaken many initiatives, which are having a major impact, particularly in improving the attention given to this difficult matter by law enforcement officials and specifically in encouraging the police to lay charges against batterers instead of placing the onus on the victims to lay these charges.

Their work is turning around a philosophy that has tended to distinguish acceptable behaviour in public from acceptable behaviour in private and we are well on the way to operating on the principle that family members do indeed have the right to personal safety and security.

Finally, I want to extend the personal thanks and commendation of the Premier (Mr. Davis) and the members of this government to the many people of Ontario who have acted on their own initiative to help victims of family violence in a myriad of ways, in particular, the many community and volunteer groups, which include the Ontario Association of Transition and Interval Houses, all of which have made such a valuable contribution, and I hope we can continue to have their support and involvement.

It is my earnest hope that we will never be a society of passive onlookers at the misfortunes of others. I trust that these initiatives that we as a government are undertaking will be but a part

of the response of the people of Ontario to this challenge, and I hope that we shall see organizations like our service clubs, churches and community groups accept an even greater and more public responsibility in preserving peace and stability in our families. Personal responsibility for protecting rather than abusing is at the heart of this issue just as it is at the heart of the family values we cherish in this province.

Mr. Speaker: I would ask the co-operation of all honourable members in not carrying on private conversations in the House, and if they have business to transact in doing it outside this chamber.

PROPANE-POWERED VEHICLES

Hon. Mr. Elgie: Mr. Speaker, I am sure members of this House are aware of the increasing popularity of propane as an alternative fuel for motor vehicles. In fact, to date there are about 30,000 propane-powered vehicles and trucks using Ontario's roads and that number is expected to climb to 40,000 by 1985.

The growth in the popularity of propane has, in part, been fostered by the federal off-oil and provincial government alternative fuel programs. During the last fiscal year alone an estimated 15,000 vehicles were converted, mostly for company fleet operations. Facilities for storing, handling and dispensing propane have also grown from 1,000 in 1981-82 to more than 1,700 this year.

In view of the economic importance of the use of propane as an alternative fuel, we wish to ensure its use goes ahead with the minimum number of adverse situations arising.

As is often the case with new and rapidly employed technologies, some problems have developed in connection with the use of propane as a vehicle fuel. Such problems include concerns for the quality of conversion work, the existence of unregistered conversion shops and vehicle component problems, particularly in regard to hoses, connections and fittings.

The purpose of this statement is to inform the House of the measures that have been and will be taken to deal with those situations where the equipping of cars to permit the use of propane fuel has resulted in problems.

I wish to describe briefly what will be happening in the near future, to review recent regulatory and licensing improvements and to explain a safety program launched about 12 days ago.

The most significant problems to date have been associated with inadequate installation of fuel systems designed to convert existing gasoline-

fueled vehicles to propane. I want to make it clear that all the evidence to date indicates vehicles with properly installed propane systems, and that is by far the largest number, are just as safe as traditional gasoline-powered vehicles.

The major problem my ministry's fuel safety branch has detected is the possibility of a leak developing as a result of an incorrectly sealed propane system. Because propane is under pressure and is heavier than air, a leak can lead to an accumulation of gas inside the vehicle which, not surprisingly, takes only a spark to ignite.

To assist in the correction of these problems, my honourable colleague the Minister of Transportation and Communications (Mr. Snow) has agreed to implement a mandatory safety inspection program for propane fuel systems on over-the-road vehicles.

Under the umbrella of MTC's existing motor vehicle inspection station program, those facilities already holding an inspection licence as well as all registered propane conversion shops and insurance appraisal centres will be invited to participate in this propane equipment inspection program and, providing their facilities and staff meet the standards set by both MTC and the Ministry of Consumer and Commercial Relations, a propane endorsement or inspection licence will be issued.

It is the intention of the Minister of Transportation and Communications to have this inspection program in place and operational early in 1984. Once the program is operational, all vehicles which are converted to propane fuel will be required to submit to an inspection. In addition, all owners of previously converted propane vehicles will have until January 1, 1985, to submit their vehicles for an inspection and to obtain a sticker. After that date, a propane-powered vehicle without a sticker will be denied fuel at all propane-equipped automotive filling stations in Ontario.

2:30 p.m.

In addition, under the MTC safety standards certificate program, propane fuel systems will be included in the inspection requirements when vehicle ownership is transferred to another person.

This new mandatory inspection and sticker program should go a long way towards raising the standards of propane equipment in vehicles operating on Ontario's roads. The fuels safety branch will monitor and analyse the results of the 30,000 inspections to determine the need, if

any, for better standards and/or more frequent inspections.

In the meantime, the fuels safety branch of my ministry will continue with its inspection, registration and certification of conversion shops, installers and propane fuel handlers. Later this year, the regulations will be amended to require that anyone applying to become a licensed propane system installer must first be a licensed automotive mechanic. As part of this effort to upgrade the qualifications and skills of those involved in the industry, Centennial College in Toronto will also develop a training program this fall for use at Ontario community colleges for those wanting to qualify as propane fuel system inspectors.

During the summer we upgraded the regulations regarding the procedures that must be followed in the filling of automotive propane fuel tanks by licensed propane fuel handlers. This past summer the branch also stiffened its technical and equipment requirements needed to qualify for propane conversion shop registration. All new shops must now first pass a preregistration checklist requiring them to have an automotive hoist, an exhaust gas analyser or dynamometer, pressure testing equipment and at least one licensed propane conversion installer on staff.

Equipment standards are changing as well. Last December my ministry hired a consultant to study the permeation rate of steel-reinforced synthetic rubber fuel lines used in propane-powered vehicles. That report led directly to regulatory changes that will also go into force later this year. These new regulations will require the eventual replacement of all existing so-called type-2 hoses with type-3 hoses equipped with a nylon inner liner.

An entire package of regulatory amendments is currently being developed by the fuels safety branch for introduction before the end of 1983. These include provisions for special enclosures around the tank fittings and a sleeve over the fuel lines, both vented to the exterior; a requirement that nylon ties, where they are used to secure fuel lines, be of the heavy duty metal reinforced type; new standards and procedures for pressure testing propane fuel systems; and requirements that all bolts and straps be rustproofed. In the past, individual conversion shops were allowed to assemble their own hoses and fittings from component parts as needed but proposed regulations will require that hoses and fittings be assembled by the manufacturer or supplier.

I would like to emphasize that these changes will result in the safety standards in Ontario being more stringent than they currently are under the national standards established by the Canadian Gas Association.

I would now like to turn to the information and warning program under way at this moment. The fuels safety branch recently discovered a problem area in some propane conversions where leakage may be occurring, more specifically in some remote-fill valve compartments where a poor seal may allow propane fumes present during refuelling to gain access to the interior of the vehicle.

Some remote-fill valves are installed in the side or back of a vehicle in the same location as the filling pipe on a regular gasoline-powered vehicle. Vehicles, generally trucks, with their fill-valve nozzle attached directly to the fuel tank are not affected by this potential problem, the Premier will be pleased to know.

Hon. Mr. Davis: Thank you.

Hon. Mr. Elgie: Fuels safety branch inspectors had discovered that some remote-fill compartments or enclosures were not properly sealed off from the interior of the vehicle. Naturally this concerns us, since any source of ignition could ignite this gas. All owners of propane vehicles are being urged to have an inspection carried out by a licensed conversion shop as soon as possible.

We have just sent individual letters to known propane vehicle owners, conversion shops and system installers notifying them of this potential problem. Detailed instructions for the adequate sealing of the compartment are also being added to regulations under the propane code. A special telephone information line has been set up at the branch and a press release was issued to the media on Friday, October 21. Any repairs required following such an inspection are relatively inexpensive and can be carried out quickly.

The potential dangers and mishaps associated with any new technology inevitably attract much more intense and focused attention than do the long-recognized dangers inherent in older, more commonly used technologies. Propane is no exception. It remains, however, a valid and economic alternative to gasoline. Propane has already established for itself a good safety record in this province, a safety record that can be improved only as a result of the kind of new industry standards and programs I have outlined today.

ORAL QUESTIONS

FUNDING OF TRANSITION HOUSES

Mr. Peterson: Mr. Speaker, I have a question for the Provincial Secretary for Justice. The minister and his colleagues have brought to the House today a series of statements, after taking roughly a year to respond to the committee's report. In spite of the three statements, the good intentions, the new bureaucrats and conferences he has added, he has failed to respond to one of the two most significant recommendations the committee made. I refer specifically to the suggestion that interval and transition houses should have block funding to guarantee their financial security. He is aware of the long list of homes that are in jeopardy of not surviving very long, as well as the figures that say per diems are not financing a very significant percentage of the cost of these homes—

Mr. Speaker: Question please.

Mr. Peterson: Why did the minister and his colleagues choose to condemn the interval and transition houses to perpetual financial insecurity? Why did he not address one of the two most important recommendations?

Hon. Mr. Walker: Mr. Speaker, we have addressed this issue very responsibly. The member might take a look at the report and discover we have adopted virtually all the recommendations proposed. There are some variations in one, and there is a variation on the question of block funding.

True, we have a different approach to it in terms of the funding, but keeping in mind there are substantial funds now being provided by the province for this kind of funding purpose, to the extent that if a woman with two children were to be in an interval house for a period of a week, the amount of money paid to that house is over \$450.

Keeping in mind that my colleague made reference to a \$4-million program that is available at the moment for the purpose of resolving the problems of those homes that are in need, there are some homes that will not close in the next while on account of the monetary issue; keeping that in mind, and that a new formula will be established in the next few months, before the next year, a formula that involves participation from the federal and municipal governments and local participation, keeping in mind all of that, we have responded perfectly to the issue. It is just that we do not agree with the formula the member might have in mind. We have an approach that sees the acceptance of

the majority of the recommendations put forward by the committee. Maybe the member should spend some time addressing those.

Mr. Wrye: Mr. Speaker, after these three statements and this beautiful blue-bound report of highlights and details, in recommendation 23, under initiatives, there is a blank space which tells me that after one year the minister has done nothing. He has done absolutely nothing on one of the two crucial recommendations. In the highlights, it says the ministry is "reviewing options to stabilize the cash flow of transition houses."

What is he going to do for those transition houses which are in a crisis situation? As the Leader of the Opposition (Mr. Peterson) pointed out yesterday and again today, they could close. What is he going to do to prevent the continuation of this emergency? When are we going to get a recommendation from his ministry that makes some sense?

Hon. Mr. Walker: Mr. Speaker, the elimination of the emergency is as of this moment. There is no longer an emergency. The emergency problems of some of the shelters that are in financial difficulties, primarily because of the withdrawal of federal funds, because of that kind of situation and other circumstances, will be resolved in an overnight situation. We will have resolved in a matter of days the issue that relates to this.

2:40 p.m.

The Ministry of Community and Social Services has instructed its regional directors at this very moment to be contacting the homes that are in some immediate distress to resolve that problem. A \$4-million fund has been established for that particular purpose. There will not be an emergency difficulty in the next week.

Mr. R. F. Johnston: Mr. Speaker, as the member who called for this committee to hold the hearings it has, I am pleased to see the government has made as comprehensive a response as it has. I think it would be wrong for me not to say so in starting. However, I do have the same concern that has been expressed by the members of the Liberal Party about the failure to address our initial and major request.

Might I ask the minister if he could please explain to us the contradiction in the report he brought forward today. On the one hand, he said in one of his responses that he wants to get rid of needs testing while, on the other hand, he said we should stay with the General Welfare Assistance Act as the major formula for funding

these houses, when he knows that one of the requirements is that the needs testing will have to stay and that as many as perhaps 20 per cent of the women who use these houses at the moment will, therefore, not get funding and the houses will continue to be in difficulty. There is a total contradiction there.

Hon. Mr. Walker: We recognize the problem and we intend to sort it out. We intend to embark upon a campaign with the federal government relative to that very issue. I expect that by the early new year it will be resolved in terms of the definition.

We do not feel that the federal government should be able to shirk its responsibility and its participation in the funding of the interval houses; nor, for that matter, do we feel that municipalities should be ignored in the process. We wish them, too, to share in the process.

We think we can come up with a better definition for needs from the point of view of the General Welfare Assistance Act; that is a proper vehicle by which to fund. We think the resolution will be forthcoming, and the Ministry of Community and Social Services is embarking upon that very direction post haste.

Ms. Copps: Mr. Speaker, first of all, I might congratulate the minister on ensuring the survival of transition houses across this province for approximately one week because, with the recommendations he has listed here today, he has done that. I am sure Trudy Don, the co-ordinator of the Ontario Association of Interval and Transition Houses, who is here today, will have a response to his alleged protection for transition houses.

Mr. Speaker: Question, please.

Ms. Copps: There is an issue that has to be dealt with, and I might ask the minister why he has not dealt with it in this report. We recognize that the federal government has a contribution to make and we recognize that communities have contributions to make in this area. In fact, communities across this province have risen to respond to the problem.

Why has the minister put this problem back in the closet by refusing to respond to a unanimous all-party committee report recommending block funding as one of the two key elements, one of the two key pinnacles, for finding a solution to this desperate problem in Ontario? The minister mouths a lot of platitudes. He has a lot of reports.

Mr. Speaker: Order.

Ms. Copps: He has set up a lot of committees. Why has he not responded positively to the question of block funding, which is crucial to the survival of existing transition houses across this province?

Hon. Mr. Walker: In responding to the member's unfortunate shrill comment at the beginning—that it would be only enough to last for a week—I would have to say that is a totally inaccurate and inappropriate statement to make. The fact of the matter is that no interval house will close in the next year as a result of a funding problem. That is the guarantee we are giving and that is the mission upon which the Ministry of Community and Social Services has embarked today, namely, to ensure that any homes that are in any difficulty whatsoever will have the matter sorted out. That will resolve the issue as far as we are concerned, and this is an ongoing acceptance of the program.

Second, in respect to the block funding issue, we have our own approach, which requires federal participation. The member would ask that to be eliminated entirely, but we find it absolutely imperative, as well as the municipal participation to determine the need for various homes in various locations. Because of all that, we are satisfied that the formula by which we will attack it and the resolution of the formula, which will be determined in the next few months, will answer the question properly. So the issue will be sorted out.

We just do not follow the same method by which the member happened to have arrived at a conclusion on the funding. We have our own approach to it and we are saying no house will close. We can make the statement that no interval house will close. That is the fact and that is the way it will be.

MEMBER'S RETURN TO HOUSE

Mr. Peterson: Mr. Speaker, before my next question I know you will indulge me in welcoming back to the House our esteemed colleague the member for Kitchener-Wilmot (Mr. Sweeney).

[Applause]

Mr. Sweeney: Mr. Speaker, before I joined this Legislature someone remarked to me that this is perhaps the most exclusive club in the province or in the country. After receiving the good wishes of members of all three parties in the form of letters, cards and flowers, I now know what they meant. Thank you all very much.

Mr. Speaker: I might say it is a happy day and we are very pleased to have you here. Quite obviously, everybody welcomes you back very sincerely.

Mr. Peterson: I think my esteemed colleague is wrong on one point. It is the Albany Club they were referring to as the exclusive club.

Hon. Mr. Davis: Jealousy will get you nowhere.

Mr. Peterson: The Premier can have my father-in-law. If he can stand him, that is his problem.

Interjections.

Mr. Peterson: Those two deserve each other. I have always maintained that.

Hon. Mr. Davis: The Leader of the Opposition is in trouble now. I thought he was welcoming back the member for Ottawa East (Mr. Roy) when he started.

Mr. Speaker: Question, please.

Mr. Peterson: The Minister of Industry and Trade (Mr. F. S. Miller) will attest to the fact that members come back to this House in even better repair after their little sojourns. I am sure he will attest to that.

Mr. Speaker: Order.

HYDRO REACTORS

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Energy. The minister is aware that five out of the 11 nuclear reactors are currently down and another reactor is going down in the near future. What actions has the minister taken since he became minister to make sure that nuclear energy is fail-safe? Is he persuaded and can he assure us the nuclear reactors at Ontario Hydro are fail-safe?

Hon. Mr. Andrewes: Mr. Speaker, I will only say at the outset that I was relieved yesterday to hear from the Leader of the Opposition that he had reconsidered the position he was taking last week and now considers it appropriate and agrees that we cannot proceed to discuss this issue and propose conclusions without the proper technical information. I think that is a constructive and responsible position for him to be taking in this regard.

I would like to report on the whole question of the activities relating to the status of the reactors. Pickering unit 1 is operating. Pickering units 3 and 4 are operating. Pickering unit 5 is scheduled to restart this evening. In Bruce, unit 1 is operating; it was restarted earlier this morning. Bruce unit 2 is scheduled to restart on

November 6 after a scheduled downtime for maintenance. Bruce units 3 and 4 are operating.

Douglas Point is operating. NPD-2 at Rolphton will shut down because of a fuelling problem. The Leader of the Opposition will appreciate those two latter reactors, of course, are not the property of Ontario Hydro. They are merely operated by the utility in conjunction with Atomic Energy of Canada Ltd. and the electrical energy is purchased from those reactors. They are not affecting the status of the system or the electrical consumers in the province.

2:50 p.m.

I want to assure the Leader of the Opposition that Ontario Hydro, through the day-to-day monitoring of its operations and through the very careful discussions it is having with Atomic Energy of Canada Ltd. and with the Atomic Energy Control Board, is in a position to assure me that, despite a spate of unfortunate and perhaps untimely breakdowns of reactors, with the exception of Pickering unit 2 the reactor breakdowns are part of normal operating problems. They are not items that would normally attract significant attention had it not been for the problems at Pickering unit 2.

Mr. Peterson: Is the minister aware that in the first nine months of this year there have been 97 significant events at the Pickering reactor alone? One case, for example, was a set of air hoses in the emergency core cooling system that was installed backwards, which was not discovered during routine tests. Has the minister been fully informed of these 97 significant events? Is he, as the minister responsible now, persuaded that nuclear energy is fail-safe?

Hon. Mr. Andrewes: The 97 significant events are matters of public knowledge. They are not specifically brought to my attention on an hour-by-hour basis because they are matters relating to the normal operation of these reactors. I think it is interesting to have some perspective with respect to the nuclear system and to make some comparisons of that system with the thermal coal-fired generation system, of which—

Mr. Kerrio: Why does the minister not try hydraulic generation?

Mr. Speaker: Order.

Hon. Mr. Andrewes: —the opposition members on occasion remind us we should have a greater component. Both the large thermal and nuclear plants operated by Ontario Hydro have been operating at a world-class level. In 1982, for instance, Pickering operated at an 87 per

cent capacity, and in 1983, up to October 1, in spite of the problems with unit 2, it operated at an 84.4 per cent capacity. In 1982 Bruce A operated at 86.8 per cent capacity, and in 1983, up to October 1, at 88.4 per cent capacity.

For thermal plants the capacity and capability are separately stated since they are not always in full use. That is no news to this House.

Mr. J. A. Reed: It was 99.5 per cent.

Mr. Speaker: Order.

Hon. Mr. Andrewes: Nuclear, on the other hand, as the Leader of the Opposition will understand, is used as a base load and, therefore, the capability and the capacity are the same figure.

I think if he were to compare the Lambton station, for instance, which is a world-class, thermal-fired generating plant, which ranks very high in comparison with all other stations in North America, the member would find that even the capacity of that station has not been nearly as efficient and as effective as our nuclear system.

Mr. Rae: Mr. Speaker, I wonder if the minister would care to comment on what appears to have been a rather significant switch in energy policy without any debate in this Legislature. That is the switch from the Energy Security for the Eighties document, which stated the need for the introduction of alternatives, for experiments in the smaller hydraulic stations, for moving with alternative energy supplies, to the stated objective the minister himself described in the House, that Ontario was witnessing the conversion of an electrical generating system to a nuclear generating system.

Does the minister not feel there is a direct contradiction between the policy that was set out just a short couple of years ago in Energy Security for the Eighties and the proposals that are now being made, such as the cutbacks at Little Jackfish River and the end of other projects that would provide a more flexible and a more balanced system, towards a system that is now exclusively relying on one technology?

Mr. Speaker: I am not sure that is a supplementary, but the minister may answer it if he chooses to.

Hon. Mr. Andrewes: Neither am I, Mr. Speaker, but I will endeavour to answer it. No, I would not agree with the leader of the third party. The search for and development of alternatives, the kinds of programs we are running to encourage hydraulic generation of electricity, are well known. They are part of the ongoing policies

and programs of the ministry and will continue to be.

I think it is important that we continue to look at the demands in the system to meet the economic requirements of the province. In making those observations in a very objective way, one has to look at the nuclear option as being the most efficient and the most effective.

Mr. Peterson: The minister chose not to answer the question I asked him. He referred to the significant events as normal events. By definition they are not normal events; they are by definition significant events. They are untoward things that could lead to more trouble.

I asked the minister if he was informed about them when they occurred. I gather he said he was not. This is not surprising. Since the material on them is now in the Legislative Library, would the minister not feel he should at least be informed as to the potential consequences of those significant events? I pointed out to him at least one case which could have been serious. There are many others as well.

I ask the minister again, is he persuaded the system is fail-safe? I am not asking him about the efficiency per unit compared to any other system. Is he persuaded it is fail-safe? Given the broad public concern about this issue, would he subject it to a hearing of a select committee of this House so that we could have a full, open, public discussion of the kinds of events that society is facing in general?

Hon. Mr. Andrewes: I have every confidence—and I can say this to the Leader of the Opposition with all honesty—that the question of safety in the system has been examined by a royal commission. It has been examined by a select committee of this Legislature, with a parade of experts coming before that committee. I think if he were to read the results of that discussion, he would find that has been confirmed. The whole premise on which the Candu reactor has been judged around the world is on its safety record.

Regarding the question of referring this whole issue to a select committee of the Legislature, when asked on occasions before about this particular subject I have said we have to resolve the problems with Pickering unit 2. Those problems and the startup of that reactor are in the hands of the Atomic Energy Control Board. The research and the kind of information the Leader of the Opposition is seeking with respect to Pickering unit 2 are coming forward as a result of some fairly intensive research at Chalk

River. When that issue has been resolved, we will give this some further consideration.

HYDRO RATES

Mr. Rae: Mr. Speaker, my question is also for the Minister of Energy. It concerns Hydro rates. The minister will be aware that Ontario Hydro's financial forecast for 1983-86 estimated it will require revenues of \$4.8 billion in 1986, which is more than \$1.5 billion more than it needs in 1983. The minister will also be aware that Hydro has projected that this means a three-year rate increase, with projected increases of sales, of 36.2 per cent. If sales are flat, the increases will be as much as 47 per cent in the next three years.

I would like to ask the minister how he squares those facts contained in Hydro's own documents with the statement he made in the House the other day when he referred to Hydro and said: "They are confident that those rates over the next number of years can be kept below the level of inflation." How does he square those two statements? They seem on the face of it to be contradictory.

Hon. Mr. Andrewes: Mr. Speaker, I am informed that the projections Ontario Hydro makes with respect to the rates over the next decade allows it to say realistically it can keep the rates on average over the next decade below the rate of inflation.

Notwithstanding that, the member clearly understands that as new units come into operation, as they will at Pickering and Bruce over the next two years, the method of accounting requires that the capital costs and interest accrued on the construction of those new units are brought into the rate base. This will no doubt affect the rate base for that period of time.

3 p.m.

Mr. Rae: Unless the minister has some kind of a crystal ball that allows him to know what the rate of inflation is going to be in 1989 or 1990, I do not know how he can make the statements he has been making—

Mr. Speaker: Question, please.

Mr. Rae: The facts with respect to the cost of interest and depreciation are as follows: Whereas 35 per cent of the rates in 1983 went to pay for interest and depreciation, in two years 50 cents out of every dollar we pay on electricity will go for interest payments and depreciation expenses, by and large on the nuclear plants that are going to be brought on stream in the next three years. Can the minister confirm that?

Hon. Mr. Andrewes: Mr. Speaker, I was not paying very close attention to the member's question. May he repeat the question?

Mr. Rae: Since I asked the first question to the minister, I thought he might have assumed the second question was also going to go to him, but I will ask it again.

Mr. Speaker: Order. Rather than do that, perhaps the minister can take it as notice, read Hansard and come back with a reply.

Interjections.

Mr. Speaker: We are just taking too much time.

Mr. Martel: Mr. Speaker, may he not repeat the question? The minister indicated he did not get the full tenor of the question, and we are waiting for a response. Surely the Speaker should not be interfering in that way.

Mr. Speaker: I am just trying to protect the rights of all members. I am not interfering.

Mr. Cassidy: Just trying to protect the government.

Mr. Speaker: The member for Ottawa Centre will retract that statement, please.

Mr. Cassidy: I will.

Mr. Speaker: Thank you. Minister.

Hon. Mr. Andrewes: Mr. Speaker, I will gladly read Hansard and try to provide the member with an answer to the question at a future date.

Mr. Speaker: Supplementary; the Leader of the Opposition.

Mr. Peterson: Mr. Speaker, would the minister not agree—

Mr. Foulds: Oh, come on, Mr. Speaker.

Mr. McClellan: Don't be so silly.

Mr. Martel: On a point of order, Mr. Speaker: The member for York South raised a supplementary question. The minister did not understand the question. Surely the leader of this party has an opportunity to place the question again so the minister can respond.

Mr. Speaker: As I said before, it is my duty to protect the interests of all members. You agree with that, quite obviously. The minister did not hear the question for whatever reason; so I am going to recognize the Leader of the Opposition on a supplementary.

Mr. Foulds: How can he ask a supplementary to a question that was not even heard?

Mr. Speaker: You are just wasting more time.

Mr. Martel: That is fine, Mr. Speaker, but the supplementary comes to the leader here; surely he is allowed to repeat the question when the minister says he has not heard it. What are we being so childish about and taking so much time for? Surely you are penalizing the House by not letting him place the question again so the minister could understand it.

An hon. member: It was a bad call.

Mr. Speaker: No. I thought it was very fair.

Interjections.

Mr. Speaker: We obviously have mixed opinions here. Is it the pleasure of the House that the question goes?

Some hon. members: Yes.

Mr. Speaker: All right. The member for York South.

Mr. Rae: Can the minister confirm that whereas today 33 cents on every dollar of rates goes to interest and depreciation, in a short two years' time that figure will be raised to 50 cents on every dollar of rates for interest and depreciation because of the commitment to nuclear expansion?

Hon. Mr. Andrewes: I can confirm that, but I also want to remind the leader of the third party that as these costs continue to increase, fuelling costs will continue to decrease because of the efficiency of the Candu reactor program and the fact that we will not be buying the coal needed for coal-fired generation.

Mr. Peterson: The minister will adding in billions for interest he is now capitalizing and not paying for. It is an extraordinary situation.

Mr. Speaker: Question, please.

Mr. Peterson: Mr. Speaker, would the minister not agree with me that his statement that Hydro rates will be below inflation is already out the window? We are now experiencing about five per cent inflation and probably will next year. The new Hydro rates for next year are 7.8 per cent. Already the minister is making a mockery of his own statement. Would he not agree?

Hon. Mr. Andrewes: No, Mr. Speaker, I would not agree. One wants to make these comparisons over a period of time. If one does that over the past five years, Ontario Hydro's rates compare very favourably with the rate of inflation.

Mr. Rae: When the matter of a rate increase goes to the Ontario Energy Board from the gas industry, for example, that increase is binding

on that industry, whereas with Ontario Hydro, it is merely advisory. Can the minister explain to the House why that is so? How can he possibly justify that kind of double standard?

Will the minister ensure that at the next hearing of the Ontario Energy Board with respect to rate increases at Hydro, it will be enforceable and will be enforced by the government of Ontario and will deal with the cost of system expansion which the government has systematically kept away from the jurisdiction of the Ontario Energy Board? Why does he not give some power to the regulators who are supposed to be protecting the interests of the consumers in this province?

Hon. Mr. Andrewes: The leader of the third party will clearly understand that Hydro is regulated by a piece of legislation called the Power Corporation Act. Within that act the Hydro board, a board appointed by the government, will set the rate for the year hence. That is their mandate under that piece of legislation.

LONG-TERM UNEMPLOYMENT

Mr. Rae: Mr. Speaker, my next question is for the Minister of Labour. I would like to ask the minister a question that focuses on the problem of long-term unemployment, particularly for the older workers in the province.

The minister will know that whatever changes to the unemployment figures there may have been over the past couple of years, one of the very hard and harsh facts we are going to have to face up to in this province is that the length of unemployment has increased substantially. For example, whereas two years ago the average length of unemployment for a worker over 45 was less than 20 weeks, today it is more than 28 weeks.

The minister has said in this House and is quoted in the press as saying that he is depressed and dismayed by the extent of this problem of structural unemployment, especially as it affects the older worker. I would like to ask him, therefore, what initiatives does he plan to take before we enter a potentially long winter of higher unemployment rates and even more difficult times for the families of the province?

What particular initiatives does the minister plan to take to ensure that we get the length of unemployment down for the older workers and all the workers in the province and to provide these people with some degree of hope for the skills they have invested in themselves over the past 20 and 30 years?

Hon. Mr. Ramsay: Mr. Speaker, first, in the short term I could refer the honourable member to the Canada-Ontario employment development program, which will extend over the winter months and which has been extremely successful. I believe the number of projects was something like 2,784 all told, and it triggered an amount of money from the federal government of \$110 million, which was matched with a like amount by the provincial government.

The interesting part is that in addition to the \$220 million of government money, the private sector, the municipalities and the nonprofit sector contributed \$183 million, an amount that almost matched it. That was a figure we had never counted upon. We had thought that if we got around a 20 per cent contribution from those sources, it would be gratifying indeed. Instead, we reached a figure of around 80 per cent. That has resulted not only in direct jobs but also in a spinoff effect for goods and services that has helped the economy of this province.

I also remind the member that the Treasurer (Mr. Grossman) has announced various initiatives, accelerated capital programs within this government, that will address the problem of unemployment during these winter months.

These are just two programs that will partially answer, I would say to a considerable extent, the matter that the member has brought forward.

3:10 p.m.

Mr. Rae: If I may say, and I hope the minister will agree, there is a dramatic discrepancy between the kinds of things that government is doing, both at the provincial level and the federal level, and the size and the magnitude of the problem. Nearly 100,000 people in this province are actually unemployed and have been unemployed for more than a year. That is not even counting the people who have gone on welfare and who have stopped looking for work.

Mr. Speaker: The question, please.

Mr. Rae: What steps does the minister plan to take with respect to provincial legislation in terms of the Employment Standards Act, the Pension Benefits Act and company law and with respect to company obligations to the workers in this province to ensure that we do not have this absurd discrepancy of profits and shareholders' benefits going up as they have gone up at Canadian General Electric and Canada Packers, to give the minister just two examples, while at the same time literally hundreds of workers, many of them older and having a difficult time

finding retraining, are simply being left out on the street?

What is the minister going to do in terms of the laws of this province to guarantee a fairer shake for the average employee as opposed to the average shareholder in this province?

Hon. Mr. Ramsay: It is a fact that this province has the most generous severance pay arrangements of any jurisdiction on the North American continent. The member is obviously referring to legislation for justification of closures, layoffs and so on. As I have said before in this Legislature, and I will say again, I have no intention at this time of bringing forward legislation of that nature.

We have to maintain a balance in this province so that we can entice industry and business to an atmosphere that will contribute to a recovery from the circumstances we are now facing. To bring forward legislation as suggested by the third party would aggravate the situation, not assist it.

Mr. Sweeney: Mr. Speaker, in response to the first question, the minister referred to the Canada-Ontario employment development program, which he operates in conjunction with the federal government.

The minister will also be aware that his colleague the Minister of Colleges and Universities (Miss Stephenson) operates a different program, the Ontario career action program, which is running out of money just as the winter months are about to begin.

Is there any co-ordination between the Ministry of Labour and the Ministry of Colleges and Universities about putting additional funding into that program, which I might say has proven to be quite successful and which is desperately in need of being continued over the winter months? That falls totally within the jurisdiction of the provincial government.

Hon. Mr. Ramsay: Mr. Speaker, it is an excellent question. Before answering it, since I have the opportunity to do so, I wish to express my personal best wishes to the honourable member, who has just returned to the Legislature. It is very good to see him back.

I agree completely with him when he talks about the benefits of OCAP. It is truly an excellent program and has all sorts of success related to it. Another program that will be available for the winter months is the winter Experience program, which was a new initiative of this government a year ago. It worked out

well last year and I am sure it will work out again this year.

As far as liaison between the Ministry of Colleges and Universities and our ministry is concerned, there is every imaginable type of liaison and exchange. We also have the Ontario Manpower Commission, which operates out of my ministry. One of its mandates is to ensure there is co-operation and co-ordination in the matter of manpower among the various ministries of this government.

Mr. Mackenzie: Mr. Speaker, the Minister of Labour is aware that at the same time as we are heading trade missions to the Far East to find new investment for Ontario, the Premier (Mr. Davis) will not even meet with the CGE workers in terms of protecting one of the most modern heavy industrial plants we have in the province. They are 429 of the workers my leader is telling us about. They have a lot of seniority. They are older workers. Can the minister tell us specifically what he is doing in terms of the 429 CGE workers when he cannot even get the Premier to meet with them?

[Interruption]

Mr. Speaker: Order, please. I must caution all our guests in the galleries that we cannot have any demonstrations of any kind. If there is any further outbreak, I will have to clear the galleries.

Hon. Mr. Ramsay: Mr. Speaker, I think we should clarify a matter, and that is that the Premier did not refuse to meet with the union involved with Canadian General Electric. I had had a long meeting—we had had several meetings, in fact—but the last meeting we had was with both union and management people in attendance. We met for a considerable length of time. We talked over just about every concern that was on the minds of the union officials who were there, and we had the senior management people of General Electric there to try to answer those concerns.

We simply did not feel that anything further could be accomplished by having a similar type of meeting with the Premier acting as chairman rather than with me acting as chairman. So there was no attempt to refuse to hold such a meeting.

[Interruption]

Mr. Speaker: Order. Clear the galleries, please.

[Interruption]

Mr. Speaker: Order. This House will stand adjourned for 10 minutes.

The House recessed at 3:16 p.m.

3:26 p.m.

EDUCATION IN NORTHEASTERN ONTARIO

Mr. Conway: Mr. Speaker, my question is for the Minister of Colleges and Universities and it concerns the fate of the report of the Committee on University Education in Northeastern Ontario. The minister will recall that a few days ago we debated this report at a preliminary level in the estimates of her ministry.

In view of the very deeply felt and increasingly widespread concern within the affected communities of northeastern Ontario about what this report proposes for the university community in northeastern Ontario, can she indicate today whether she would be prepared to allow for a public forum in northeastern Ontario for a public discussion of the very important and vital questions raised by the proposed restructuring as set out in the Parrott committee report?

Hon. Miss Stephenson: Mr. Speaker, I would remind the honourable member that there have to this point been two major opportunities for that kind of discussion. In the examination of the subject initially, Dr. Arthur Bourns, a former president of McMaster University, whose graduates are ensconced in parts of this chamber, held meetings throughout northeastern Ontario in the examination of the proposals that might be put forward to ensure there would be greater viability and greater attention to educational opportunities for northeastern Ontario.

In response to the Bourns report, the chairman of the Ontario Council on University Affairs himself had some meetings in northeastern Ontario with members of the various institutions involved before the final statement of OCUA regarding the Bourns report, the advisement that I received from OCUA on the Bourns report, was delivered to me.

As a result of that advisement, the member is aware, we appointed a committee, which he persistently calls the Parrott committee, which had representation from all of the institutions and all of the areas involved in northeastern Ontario as well as three representatives appointed by government. That body held public hearings throughout northeastern Ontario and amassed a fairly large volume of paper and a good deal of listened-to opinion before the report was drafted.

I have said very clearly to the member that it seems to me the one term of reference that was not addressed by the committee and one that is of vital interest to all, must in fact be looked at very carefully through a mechanism which we

are in the process of developing within the ministry. When we have addressed that matter of cost, I shall be pleased to consider the way in which we will proceed.

I would remind the member that even now there are meetings being held throughout northeastern Ontario to provide responses to the Parrott committee report. Apparently it is not necessary for the ministry to organize such meetings; they are being held spontaneously. I am delighted to know that is happening.

3:30 p.m.

Mr. Conway: Would the minister not agree it would be most useful to provide a public forum in the light of the gathering storm of protest, involving such people as my eminent colleague the member for Nipissing (Mr. Harris) who has said this report is flawed? The executive vice-president of Laurentian, Dr. Frank Turner, is quoted in the most recent edition of the Laurentian Gazette as saying the problem is one of cost, not of structure.

Given the very deeply held views of many people in the affected community, does the minister not agree with me that it would be very useful for her to ensure that a public forum is provided for the people in northeastern Ontario who have a vital interest in this?

Furthermore, can the minister indicate whether or not it is still her intention to have a restructured university system in northeastern Ontario in place by the summer of 1984?

Hon. Miss Stephenson: I thought I had stated very clearly for the benefit of the member that the very important factor of the cost of implementing anything like the recommendations of the committee which has looked at the restructuring of those institutions must be in place. We must have that very important information in our hands before we can discuss with anyone, including those in northeastern Ontario and Dr. Frank Turner, whether we can proceed in the direction suggested by the committee or whether there should be some modification thereof.

I am sure the member will be generous enough to give us time to find that information and to provide it to him, so if he wishes he may organize meetings in northeastern Ontario in order to hear what those very worthy individuals have to say.

I have to tell the member that it seems to me the individuals and groups involved in that area are very articulate and have no difficulty in communicating amongst themselves or

transmitting their ideas to the government on a regular basis.

Mr. Allen: Mr. Speaker, people in that area are indeed articulate. Arthur Wishart, the former provincial Attorney General, commented recently that a lot of space is spent in the report setting up a tremendous administrative system which is extremely top-heavy and unnecessary. He said it did not bother to address some of the fundamental questions of funding he has been calling for for some time.

Mr. Speaker: Question, please.

Mr. Allen: Given the reaction the minister is getting from some sources in the north, given her own statement in the estimates that she would not even in principle endorse proceeding with a university of northeastern Ontario, however modified from the Parrott commission proposals, a lot of doubt is being cast on the whole future possibility of an institution of that nature for the north.

Will the minister give us her assurances that however many modifications she might wish to make to that report, she will in fact proceed with a university in northeastern Ontario of which the north can be proud?

Hon. Miss Stephenson: There are in fact institutions in northeastern Ontario now of which the north is proud.

Mr. Martel: What a silly statement.

Hon. Mr. Davis: I challenge you to get up and say it is not so.

Mr. Speaker: Order.

Hon. Miss Stephenson: It would seem to me to be unnecessarily chauvinistic of the former member of the McMaster University staff to ignore the pride which northerners have in their current institutions.

If the honourable member will take the trouble to quote me fairly, clearly and accurately, he will recall I said I was most sympathetic to the recommendations of the report, but I felt strongly I could not in all honesty make any statement beyond that without having the vital information regarding the cost of the structure that is recommended.

PRIVATE NURSING HOMES

Mr. Cooke: Mr. Speaker, I have a question of the Provincial Secretary for Social Development in the absence of the Minister of Health (Mr. Norton).

On November 22, 1982, the Willson Nursing Home in St. Thomas went into receivership.

Since then the employees, the residents and the relatives of the residents have not received any clear-cut information as to exactly what their future holds, other than that we know Caressent Care nursing home has been promised the licence by the Minister of Health. There are no guarantees for the residents and there are no guarantees for the staff.

Would the Provincial Secretary for Social Development ask the Minister of Health to get the nursing home branch of his ministry to meet with the staff and residents to clarify the position, to make guarantees before they agree to that licence being transferred to Caressent Care, to give guarantees that successor rights for the union and the staff will be accepted and honoured and that the residents in the Willson Nursing Home will in fact be guaranteed a place in the new nursing home that is now being built in St. Thomas by Caressent Care?

Hon. Mr. McCaffrey: Mr. Speaker, I will speak to the appropriate people within the ministry this afternoon.

Mr. Cooke: On a policy matter, does the minister not realize that because of the process used by the Minister of Health, which is the policy of his government—private ownership of nursing homes and the way licences are transferred to new owners, where we basically, as I have said before, sell residents—these types of problems are occurring on a regular basis where there are no guarantees for anyone and that in fact this is simply another symptom of the profit, private ownership of nursing homes in Ontario?

Will he and his government not finally come to grips with this problem and review the policy and the ramifications of private ownership of nursing homes in this province?

Hon. Mr. McCaffrey: I think it is important not to confuse the principle of private ownership, which has an important role to play in the field of health in this province, and difficulties that may follow a transfer or a sale.

Mr. Peterson: Mr. Speaker, when the minister is investigating this situation would he talk to the Minister of Labour (Mr. Ramsay) particularly to make sure that the closing down of the Willson Nursing Home and the transfer to Caressent was not just a device to beat the union? Would he involve the Minister of Labour in using his good offices to try to persuade the new owners of the new home that will be taking those residents, presumably, to hire on a prefer-

ential basis the staff who currently exist and stand in jeopardy of losing their jobs?

Hon. Mr. McCaffrey: My colleague the Minister of Labour, who is here and heard that question, will be as anxious as I am to report back later this week on it.

ONTARIO LABOUR RELATIONS BOARD RULING

Mr. Kells: Mr. Speaker, I have a question of the Minister of Labour.

An. hon. member: Be nice today, Morley.

Mr. Speaker: Order.

Mr. Kells: I am nice every day.

Mr. Speaker: Question, please.

Mr. Kells: The minister will be aware that in a recent ruling the Ontario Labour Relations Board certified International Union of Bricklayers and Allied Craftsmen Local 12 as a designated bargaining agent for all bricklayers, stonemasons and apprentices for those trades employed by the city of Kitchener. In granting certification, the board rejected the city's arguments that the employees in question were already represented by Canadian Union of Public Employees Local 68 and were classified as maintenance men, not bricklayers.

Three employees are affected by this ruling. All are full-time temporary workers and two are hired under the Canada-Ontario employment development program. As a consequence of this ruling, the city of Kitchener is of the opinion that it has been involuntarily made a party to the bricklayers' provincial agreement.

Mr. Foulds: Question.

Mr. Kells: This takes a while. As a result, not only does the wage bill of the city increase but the city believes that under clause 1(c) of the agreement it will be restricted to tendering contracts for bricklaying and stonemasonry work solely to unionized subcontractors.

Mr. Speaker: Question, please.

Mr. Kells: Here is the question. In that this ruling has serious implications for other municipalities in the province, would the minister please advise if the city of Kitchener's interpretation of the effect of the ruling on its ability to tender is correct? Further, given that the effectiveness of programs such as COED—

Mr. Ruston: You are making a speech.

Mr. Kells: You guys do it; let me do it.

—depends on the co-operation of municipalities, private sector employers and unions, does the minister not believe that this ruling signifi-

cantly reduces incentives for municipalities and private firms to participate in our job-creation efforts?

Finally, how can we expect municipalities and private firms to participate in job-creation programs if, as a consequence of their participation, they risk being made party to agreements they had no role in negotiating and which limit their right to tender work?

3:40 p.m.

Hon. Mr. Ramsay: Mr. Speaker, it would be inappropriate for me as Minister of Labour to comment on a decision by the Ontario Labour Relations Board. However, I will put the Ontario Labour Relations Board in touch with the appropriate authorities in Kitchener to follow up in that respect.

As far as the other part of the question is concerned, the member refers to the difficulties in the COED program with the organized sector. I want to tell him that was an exception rather than the rule during the COED program. We had excellent co-operation from unions, from the organized sector. We did have problems in some areas, but they were very few in comparison with 2,784 projects, as I said earlier in the House this afternoon. In almost all cases we were able to resolve those problems. The situation in Kitchener, while not alone, was in a sense unique.

Mr. Kells: I know that was a little confusing and possibly it was meant to be. However, with all due respect I do not think the minister has answered the question.

Mr. McClellan: How can you say that?

Mr. Foulds: Let him have it, fight back.

Mr. Martel: Don't take that from him.

Interjections.

Mr. Kells: I cannot repeat the whole question.

The municipalities are confused. If by participating in a COED program, one leaves himself open to this kind of interpretation, which is going to have severe repercussions down the line—I guess the point is, how can the minister assure the municipalities this will not happen to them as it has happened to Kitchener?

Hon. Mr. Ramsay: I did understand the question and I thought I had responded to it by indicating that while it would be inappropriate for me as minister to comment on a ruling of the Ontario Labour Relations Board, I would have the appropriate officials at the Ontario Labour Relations Board contact the officials of the

municipality of Kitchener to give them an interpretation of the ruling.

Mr. Roy: Mr. Speaker, I had an excellent question for the Attorney General (Mr. McMurtry). I think he heard about it because he stepped out and has not come back. I will have to defer to my colleague.

JOB CREATION

Mr. Eakins: Mr. Speaker, I have a question for the Minister of Northern Affairs. The minister is aware that our northern and rural communities are being hard hit by the current state of the economy. In the short term these communities are going to need increased government support, but in the long term they are looking for long-term initiatives that will create jobs and help diversify their economies so that they do not have continually to depend on government grants just to survive.

Since some initiatives are being taken by certain private entrepreneurs in the development of an information economy for northern Ontario, which could provide Teleguide tourism information to the public, for example, will the minister take the initiative and leadership in the area of information system development for the north and, through the Board of Industrial Leadership and Development or other government vehicles, provide the funding necessary for such companies as InfoNorth, which is at present trying to develop an information system in the north which could create jobs, improve northern access to vital information and help in diversifying the economy?

Hon. Mr. Bernier: Mr. Speaker, I appreciate the honourable member's question and his concern for the small communities in northern Ontario.

I would ask him to go back to Hansard for last June. He will recall I made a statement in this Legislature outlining a community economic development program which my ministry was embarking on, a very ambitious program following on the heels of our successes in the Atikokan area, whereby we would work very closely with each community that was interested in planning and diversifying its economic base in the long term. That particular program is being well accepted. Some 25 communities across northern Ontario have embarked on that particular program with my ministry. We have budgeted something like \$750,000 this year to start the program. It is working in a number of different fields.

I would also like to point out to the honour-

able member that I just returned from the Red Lake area yesterday and was pleased to learn that particular area had a tourist increase of more than 30 per cent.

Mr. Eakins: Since we are speaking of the InfoNorth submission, the minister might be aware that the resources for use in developing an information economy in the north already exist, such as the longest private cable microwave system in the world, the first full-channel teletext system in Canada and the largest capacity system ever produced, as well as the commitment of people at Laurentian University to make their own time available in developing such a system.

As well, should the Northeastern Ontario Chamber of Commerce form an economic development council centre, which is being considered, this centre could play an important role. Will the minister assure this House, as well as the communities of northern Ontario, that his government will provide the support necessary to make this vision a reality for northern Ontario and encourage InfoNorth in its endeavours?

Hon. Mr. Bernier: We have been actively involved in the promotion of tourism right across northern Ontario since my ministry came into being. We will continue that with even more enthusiasm. I want to point out to this government, and certainly this ministry, is very supportive of any new initiatives that will create new activity in northern Ontario in co-operation with the private sector.

PETITIONS

INFLATION RESTRAINT LEGISLATION

Mr. Breithaupt: Mr. Speaker, I have a petition, which reads as follows:"

To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

This petition was signed by some 156 teachers in the Kitchener-Waterloo area from the following schools, among others: Meadowlane Elementary School, Margaret Avenue Senior School, Lincoln Avenue Elementary School, Rosemount School, Queensmount Senior School and William G. Davis Senior School.

Mr. Eakins: Mr. Speaker, I have a similar petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

This petition is signed by 27 teachers representing Kirkfield Elementary School and Mariposa Elementary School in the great county of Victoria.

Mr. Conway: Mr. Speaker, I have a similarly worded petition addressed to the Honourable the Lieutenant Governor, signed by 117 teachers from the following schools: Admaston Elementary School, Alexander Reid Elementary School, Fitzroy Centennial/Harbour Elementary School, Huntley Centennial Elementary School, McNab Elementary School, Torbolton Elementary School, Walter Zadow Elementary School, and the Eganville and District Elementary School.

Mr. Foulds: Mr. Speaker, I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which reads as follows:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

That is signed by the teachers of Oliver Road Elementary School in Thunder Bay.

3:50 p.m.

Mr. Swart: Mr. Speaker, I have a petition from six teachers at the Niagara Child Development Centre, which is part of the Niagara South Board of Education, in which they petition for their rights, which were arbitrarily taken away by this government, to be restored. Specifically, they petition the Ontario Legis-

lature to restore their free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act. I support them in this petition.

Mr. Ruston: Mr. Speaker, I have a similar petition, addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, which is signed by 17 teachers from the Belle River Unit Public School.

Mr. J. M. Johnson: Mr. Speaker, I beg leave to present several petitions.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned teachers, beg leave to petition the parliament of Ontario as follows:

"Whereas we oppose the extension of the Inflation Restraint Act because it is inequitable in its application to the citizens of Ontario and restricts our basic free collective bargaining rights; and

"Whereas we believe that an extension of the act or measures which will have a similar effect would violate the spirit of the Canadian Charter of Rights and Freedoms;

"We petition the Ontario Legislature to restore our free collective bargaining rights forthwith under Bill 100, the School Boards and Teachers Collective Negotiations Act."

As chairman of the government caucus and on their behalf, I am tabling the petitions addressed to my Progressive Conservative caucus colleagues.

BROADWAY AVENUE REOPENING

Mr. Wrye: Mr. Speaker, I have a petition on different topic. The petition is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario and it reads as follows:

"We, the residents of west Windsor, do not want Broadway Avenue closed. We also want Broadway reopened at Highway 18 and at the Broadway extension. We realize that these roads will have to be closed to the expressway cloverleaf, but that is possibly 10 years down the road."

It is signed by 130 residents of the area and workers at Dainty Foods Ltd., the major employer in the area. I might add that I support the petition.

INTRODUCTION OF BILLS

DISTRICT MUNICIPALITY OF MUSKOKA AMENDMENT ACT

Hon. Mr. Bennett moved, seconded by Hon. Mr. Timbrell, first reading of Bill 106, An Act to amend the District Municipality of Muskoka Act.

Motion agreed to.

COUNTY OF OXFORD AMENDMENT ACT

Hon. Mr. Bennett moved, seconded by Hon. Mr. Timbrell, first reading of Bill 107, An Act to amend the County of Oxford Act.

Motion agreed to.

WOMEN'S ECONOMIC EQUALITY ACT

Mr. Rae moved, seconded by Mr. Martel, first reading of Bill 108, An Act to provide for Affirmative Action and Equal Pay for Work of Equal Value.

Motion agreed to.

Mr. Rae: Mr. Speaker, this bill would require that all employers with more than 20 employees, unless exempted by regulation, establish joint committees of workers and managers to provide affirmative action programs, which would become binding upon the employer when approved by the director of the affirmative action office or by the affirmative action tribunal. The Minister of Labour could by order extend the same requirements to individual employers with 20 or fewer employees, all employers to be required to file reports at intervals concerning matters relating to the participation of women in their work forces.

Failure to establish a joint committee or comply with a binding affirmative action program would lead to a compliance order by the director or by the tribunal. Failure to comply with such an order would constitute an offence punishable by a maximum fine of \$10,000, \$25,000 in the case of a corporation, and higher fines to be imposed on subsequent convictions.

The affirmative action office that is created by the bill is intended to assist joint committees in the preparation of affirmative action programs, to analyse the programs for the director, to monitor their implementation, to identify occupational categories in which women are now underrepresented, including new occupations, to provide research, support and public educational services and generally to promote affirmative action.

The bill provides for a comprehensive skills training, retraining and apprenticeship program designed to increase to at least 50 per cent the numbers of women in occupational categories in which they are now underrepresented. The

bill also contains an amendment to the Employment Standards Act that would repeal part IX of the act, equal pay for equal work, and substitute instead a new part entitled equal pay for work of equal value.

The new part IX would require an employer to pay his or her male and female employees equal amounts for work of equal value. An assessment of the value of work may be made by an employment standards officer, and the criterion to be applied is the composite of the skill, effort or responsibility required in the performance of the work and the conditions under which the work is performed.

The reduction of wages to achieve compliance is prohibited. Employees and employee organizations are entitled to make complaints and are given appeal rights that correspond to those available to employers.

Given the commitment of the government after the vote on the resolution the other day, I anticipate when this bill is discussed in the Legislature, which it will be very soon, it will have the support of all the parties in the House.

ORDERS OF THE DAY

House in committee of the whole.

OFF-ROAD VEHICLES ACT

Consideration of Bill 61, An Act to Regulate Off-Road Vehicles.

On section 2:

Hon. Mr. Snow: Mr. Chairman, we had Bill 61 referred back to the committee. It was dealt with a couple of weeks ago, but before it received third reading we found there was a slight error in the drafting of one of the amendments. I have a new amendment to place to section 2 of the bill, if there are no other concerns.

4 p.m.

The Deputy Chairman: Hon. Mr. Snow moves that clause 2(2)(a) be amended by striking out "if the vehicle is designed to travel on not more than two wheels" in the first and second lines.

Mr. Cunningham: Mr. Chairman, as is always our custom, we are anxious to co-operate with the minister. I understand the purpose of this amendment is to allow not only farmers but also nonfarmers to operate those vehicles and hence to remove any discrimination that might cause any possible embarrassment for the Attorney General and the Supreme Court of Canada at a future date.

Mr. Samis: Mr. Chairman, in view of the controversial nature of the amendment, we will support it.

Motion agreed to.

Section 2, as amended, agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Snow, the committee of the whole House reported one bill with a certain amendment.

CROP INSURANCE AMENDMENT ACT (ONTARIO)

Hon. Mr. Timbrell moved second reading of Bill 85, An Act to amend the Crop Insurance Act (Ontario).

Hon. Mr. Timbrell: Mr. Speaker, the amendments, which I think are straightforward, are to empower the Crop Insurance Commission of Ontario to make regulations regarding extended coverage for the loss of fruit trees from a variety of stipulated perils.

The so-called apple tree loss rider for 1983 is covered under the Canada-Ontario crop insurance plan. The rider covers hazards like winter freeze, ice damage, hail, flood, wind, tornadoes and uncontrollable diseases. The growers must have production insurance and a minimum insurable tree value of \$3,000 to qualify.

Under the Canada-Ontario crop insurance program, as I am sure all members are aware, the federal government provides half of the total premium required, with the Ontario government picking up all the administrative costs. These contributions enable the grower to buy insurance protection at an affordable price, in this case one per cent of the coverage for the rider. The maximum amount payable under apple tree insurance for 1983 is \$40 for a standard tree and \$12 for a dwarf tree.

I commend these amendments to the Crop Insurance Act (Ontario) to my colleagues to clarify the commission's authority to extend insurance to cover loss of fruit trees, as well as loss from destruction of perennial plants such as asparagus if plans for these are ever required in the future.

Mr. Riddell: Mr. Speaker, we are naturally going to support this amendment to the Crop Insurance Act (Ontario). I suppose one has to wonder why it has taken the minister or his predecessors so long to bring in this amendment to give protection to the apple growers.

I suppose politics are played outside this Legislature as well as inside. As far back as 10 years ago, I believe, and perhaps further back

than that, my colleague the member for Kent-Elgin (Mr. McGuigan), when he was the chairman of the Ontario Fruit and Vegetable Growers' Association, made a request that the apple growers be given some protection under the Crop Insurance Act (Ontario). It has taken all this time for not only this minister but also his predecessors to act on this request.

But I suppose, as I said, that some politics are being played. I do not believe the Niagara fruit growers were very favourable to protection being given to the apple producers or other fruit growers, mainly because they are in rather a unique area where they probably do not suffer the same losses as a result of weather conditions and other hazards as do the growers, say, in eastern Ontario or down in the extreme southwest.

The Ontario Fruit and Vegetable Growers' Association, consisting predominantly of Niagara fruit growers, since that is certainly the most heavily concentrated area for fruit production, did not look very favourably on giving this kind of protection. I should say that they did not go out of their way to make the request. I will not say that they did not look favourably on protection extended to fruit growers, but they certainly did not go out of their way to request this kind of protection. Therefore, the ministry, knowing they were by far the largest number of fruit growers in this province, decided, "We won't do anything about it."

We have a by-election coming up in eastern Ontario now, and it is rather interesting that we should be dealing with this act at this time because there is no question that the government will want to curry favour with the farmers in—what was that area?

Mr. Conway: Stormont, Dundas and Glengarry.

Mr. Riddell: In the riding of Stormont, Dundas and Glengarry.

Hon. Mr. Timbrell: You don't even know the name of the riding.

Mr. Riddell: That is right. I do not profess to know the names of the ridings. Furthermore, I would ask the minister to get up and name the ridings of the various members. He could not do it, either; so he should not kid himself.

Mr. Nixon: He's the one member who could.

The Acting Speaker (Mr. Cousens): Order.

Mr. Riddell: But it just looks to me as if there is a little politics being played; it is more than coincidental that this act happens to be coming in at this time. However, we are grateful that the minister has seen fit, even though he is playing a

little bit of politics, to bring in this kind of amendment to give the protection that the fruit growers should have had for some years.

Interjection.

The Acting Speaker: Order. The member for Huron-Middlesex is having too many interruptions, and he is listening to them.

Mr. Riddell: There needs to be a lot of work done yet with the Crop Insurance Act. Many farmers complain about the system—I will wait until the conversation between the Minister of Education (Miss Stephenson) and the Minister of Agriculture and Food (Mr. Timbrell) is finished. Thank you.

Many farmers are not happy about the present system under which we see the Crop Insurance Act being administered. For example, those farmers who tend to own 400, 500 or 600 acres of land, which are in different parcels consisting of maybe 50 to 100 acres, find that all of their land is averaged in when an assessment is made for the crop insurance for which they apply.

The farmers are saying there is such a diversity of conditions prevailing on those various farms that we should not be averaging all the farms in but should be taking a look at the 100-acre parcel, making an assessment on that and basing the crop insurance on that 100 acres, and then taking the other 100 acres, making an assessment there and basing the crop insurance on that.

The farmers say we should do that rather than lump all these acreages together and then come up with an average yield on which we are going to pay crop insurance if there is a loss as a result of weather conditions or some other kind of hazard. That is one complaint many farmers have. They would like to see this part of the Crop Insurance Act amended.

4:10 p.m.

We had occasion to meet with the Northern Ontario Farmers' Association a few weeks ago as our task force was moving across the province. I have to tell the minister that the farmers in northern Ontario are not very happy with the way crop insurance applies to forage crops, hay crops. It seems to me the government uses a simulated yield, and I do not know where it gets this from. It is pulled out of a computer without even knowing what the conditions are in northern Ontario or without ever going out to make an assessment of forage crops in that area.

In other words, the farmers there say that part of the crop insurance program is a total farce as

far as they are concerned. They are not being treated in the same way as farmers growing other crops. That may be because forage crops do not go directly into human consumption; they go through livestock and therefore we do not consider them in the same way.

I do not know what the minister's thinking is on that, but I think he has to take a look at the way crop insurance applies to forage crops and treat those farmers fairly. There is no question that they can lose a forage crop and get a very low yield because of a number of conditions affecting that crop. They could be weather conditions or insect infestations; you name it. They can lose their crops just the same as apple producers can lose their crops.

I ask the minister to take a look at the way crop insurance applies to forage crops and to take another look at the way he assesses the yield on the farms the farmers own. He should consider making an assessment on the individual 100-acre farm instead of lumping them all together and saying: "This is what the average yield should be. This is how we are going to make our assessment. This is how you are going to get paid if you happen to have a loss."

I commend the minister for coming in with an amendment to give protection to fruit growers. I ask him to kindly look at the other two matters I raised. Not only were they expressed to me by farmers as we were moving across the province on the task force, but they have also come up time and time again, any time I happen to meet some of the farmers in the farm organizations.

With those comments, I will say once again that we support the amendment to the Crop Insurance Act.

Mr. Swart: Mr. Speaker, we too will be supporting this bill because, first, it is largely a replica of the one they have in British Columbia. It has been working reasonably well out there, where they have more damage, particularly frost damage, to their apple trees than we do in this area.

Second, we will be supporting it because it meets to a very substantial degree the wishes of the apple growers in this province. I have talked to Mr. John Van der Zalm, who is the executive secretary of the Ontario Fruit and Vegetable Growers' Association, and to Michael Rokeby, who is chairman of the apple section of that organization. It would be fair to say they both feel it is a substantial step in the right direction.

The question can be rightly asked, as it was asked by the member for Huron-Middlesex, why it has taken so long to bring this bill in. It is a

very simple amendment. It certainly could not have taken much time to prepare. It has been asked for over a number of years. We have known since the cold winter of 1980-81 and the loss of many apple trees in eastern Ontario that it was needed.

I recognize that some ad hoc assistance has been given, but surely it should not take almost three years to bring in a simple bill such as this one to deal with a very major problem that can face the apple producers and other fruit producers at least on occasion.

The member for Huron-Middlesex blames the long delay partly on politics, and I think I would concur with him on that. I am not sure it has to do with the by-election in eastern Ontario; it perhaps has more to do with the general election, which will be coming up either next year or the year after, and they want to have it in place and working. It would not have been appropriate if they had brought it in during the summer of 1981 or 1982, because that would have been too far away for the people to remember when the next election comes up. This is a very appropriate time to do it.

The member for Huron-Middlesex may have retracted it, but he implied that the fruit growers in the Niagara region were not too favourable towards this. I recognize that there are not many apples grown in the Niagara Peninsula, but in my conversations with the fruit growers over the years, and even more recently, I have heard no opposition to this kind of legislation. In fact, there is support for this legislation.

Many of the fruit farmers—particularly those in the Fonthill area, on the plateau, the cherry growers and particularly the peach growers—feel that this bill should be applied to the peach trees as well as the apple trees in this province because on occasion there is a substantial amount of winterkill to the peach trees, particularly those that are up on the plateau as compared to those that are below the escarpment.

I want to say immediately that I do not profess to be an expert on apple production, but certainly there is one in this House, and I am looking forward to his comments, in the person of the member for Kent-Elgin. Not only has he had long experience in apple growing but he has also headed the local apple growers' organization—I am not sure—or perhaps the provincial one.

My understanding is that this apple kill takes place, on average, about once every 40 or 50 years. However, they tell me it is rather an insidious type of damage. It may show up only

on the north side of a tree, or it may show up only in the bark coming loose from the tree a year or two later, but ultimately much of the production on the tree is lost and it kills the tree over a period of years.

When the minister rises, I presume to answer questions on this bill, perhaps he could talk about the regulations and how they will apply in those cases where it may take two or three years before the total production or the tree is lost. I hope he will comment on how the regulations will cover that.

This legislation is important to an important industry in this province. There are certainly ramifications. They may not be overly large in this particular bill but certainly the wellbeing of the apple industry has ramifications in self-sufficiency and in export.

4:20 p.m.

It is my understanding that the consumption of apples has increased quite substantially in this nation and province and that exports generally are increasing. Unfortunately, it is also my understanding that the apple trade between Canada and the United States is shifting in favour of the United States. I am told that Oswego county, for instance—I am fully aware of this county; I go down there occasionally during the summer to take in the stock car races—produces more apples than are produced in the whole of Ontario. I am also told that the state of Washington produces two or three times as many apples as are produced in all of Canada, although of course British Columbia is a big producer.

I am sure every member of this House would concur completely that none of those apples has as much flavour or quality as the Ontario apples. If our producers are given the same opportunity as the rest of the producers, their apples will outsell those from the other places. Anybody who has tasted the apples from the west coast, and I am sure we all have, will realize the validity of that statement.

This is tree insurance legislation. Certainly it is not income insurance and it is not intended to be. It is purely for the purpose of replacing the stock. There is still going to be a tremendous loss to the producer. Even with the small trees it takes a minimum of four years to get back into production and a producer can be substantially hurt. However, at least it will be some incentive to get back into production and we need that kind of incentive. This, therefore, is a minor step to assist the producers.

It is interesting to note, of course, that it is

going to cost the Ontario government nothing, or very little. The premiums are going to be paid by the federal government and by the producers themselves. The Ontario government has to pay only the cost of administration. About the only kind of improvement and assistance to the farmer that this government provides is when somebody else is paying the bill. The government is making this improvement largely at somebody else's cost.

Last year or the year before, the government took away some of the farm property tax credit, a move which affected some of the apple producers. I would say to the minister, if the government proceeds with its plan he will be taking more of the farm property tax credit away from them as the amount goes up from \$8,000 to \$12,000. I hope the minister will recognize the difficulties of the apple producers as well as those of many of the other primary producers in this province and will make a statement that the government is going to return the qualifying amount for farm property tax credit to the \$5,000 it was previously.

A lot of people in this province, perhaps 20 per cent of the farmers, are anxious to hear the minister make that statement. It might be appropriate for him to make it while he is speaking on this bill which is costing him nothing.

When the minister rises I hope he will comment on the application of the provisions of this bill to other fruit trees. I have already mentioned that there has been a desire expressed by some farmers in some areas to have this applied to other fruit trees. I presume this is true in southwestern Ontario, where we have a few peach producers who would like to have this kind of insurance applied to the peach trees in that area.

I also want to make the point that this legislation will really be beneficial only if it is promoted. It so happens that tree loss is rather rare. There may be many people who have not suffered any tree loss. They will not see the need to get into this program. If it is going to serve a really useful purpose in this province, as I think it will, then it will have to be promoted.

I would like the minister to comment on what plans he has to ensure that every apple producer knows about this plan and is encouraged to participate in it. Of course, it is voluntary, the final decision will be up to them, but I think it is terribly important that this be promoted among the apple producers.

Finally, I hope that when the minister rises he

will make some further comments—I think he alluded to it very briefly—on subclause 1(ba)(ii) of this bill, which says:

“‘extended coverage’ means insurance against . . . loss arising when the seeding or planting of land intended to be used to grow an insured crop is prevented by a peril designated in the regulations.”

Will he be making regulations that this applies to all crops that are possibly covered at the present time by insurance? Does it mean, for instance, that corn producers, such as those who could not get their corn in the ground this last year, would be covered if they had insurance?

I hope he will make some comment on what he really intends to put in the regulations. There has certainly been no fanfare about that clause and I am a bit suspicious that there is going to be very little application of it; but perhaps the minister will cover that.

With those relatively brief comments, I am going to take my seat and I will listen for the replies that the minister will make and the commitments that I hope he will give.

Mr. McGuigan: Mr. Speaker, it is with a great deal of satisfaction that I rise and commend the minister for bringing this bill in. I guess I have to say it is too little and too late, especially for the tender fruit growers, the growers of peaches and, to a lesser extent, cherries.

We often hear in this chamber about the demise of the peach growing industry, particularly from the member who has just spoken, the member for Welland-Thorold, and about the fact that we have only one peach processor in the Niagara area. He often blames that on the imports, and I share some of those sentiments. But I would say the real reason we have lost the peach industry in Ontario has been largely by default, and the lack of an insurance scheme to cover the trees has been one of the main reasons we have lost that industry.

If I can just touch on some of the things that have already been mentioned, the change in attitude in the producers in the Niagara Peninsula came about as a result of a very cold winter three years ago. We have to look at the map of Ontario to see the picture. The Niagara Peninsula is tucked under the western end of Lake Ontario, and when those cold winds come from the north they customarily cross open waters at the western end of the lake. It is a very rare event, because of the depth of the water, to have Lake Ontario frozen, as compared to Lake Erie, which freezes fairly quickly. In fact, the odd

year it freezes from shore to shore; people have actually walked across Lake Erie.

But a cold northern wind coming across that open water is always warmed by the water and goes up about 20 degrees, so we might have air that is 20 below zero Fahrenheit, but by the time it reaches Niagara it is zero. That is not too damaging. You get into damage with the tender fruits, peaches in particular, at about 10 to 12 degrees below zero Fahrenheit. In that particular year the lake was frozen and they had a lot of tree damage.

This leads me to a point I wanted to mention. With the stone fruits, the tender fruits, the site is very crucial and it is because of the unique qualities of the Niagara Peninsula that the loss ratio in Niagara has run something like one year in 32 years, whereas in southwestern Ontario, where I come from, the loss ratio will be more like one in 12 years. If one goes up along Lake Huron, I think it is getting up into the one to four or five. The site is very important as to the weather. It is also very important as to the soil because these trees, in the words of fruit growers, will not stand wet feet. That means they must have almost perfect natural drainage.

4:30 p.m.

One can get away with tile draining—there are some orchards that are a tile drained—but that adds to the cost and it is not as effective as natural drainage. So one will find those crops are actually growing on the old beach soil of the province. Some thousands of years ago when most of the St. Lawrence River was plugged with glaciers the water from this area is reputed to have been taken down the Mississippi River. At that time, the Great Lakes were about 100 feet higher than they are today. If one follows Highway 3 along the shore of Lake Erie and then on up to Lambton and follows the same traces of the old beach, that is where one will find the good fruit soil.

What the minister will find is that when an orchard area becomes successful and people establish a tender fruit orchard on the good soils and the good sites, then it spawns or encourages people on marginal sites to get into this great business of making money as a fruit grower. The sad part is that it takes a person a lifetime to learn what are the good sites and where these are, and it is constantly changing.

I do not know if the minister is familiar with my area but he should be, because a year ago he put a control order on our area preventing people from using that good gravel soil for mining purposes. That was a move that was in

the best interests of all the people in Ontario. People like myself and some of my neighbours who find ourselves restricted are not quite so sure about it, but it is certainly in the best interests of the province.

What happens is that this very narrow band of land attracts people who are on the marginal areas of it to plant orchards. The soil is shallow; usually what one finds is that all of this gravel and sand is overlaying the natural clay base. The whole of southwestern Ontario is clay underneath. If one goes to the lake, one will find that the bottom of the lake is not sand, as people suspect from the beaches. The bottom of the lake is heavy clay. So one gets these areas where there is a foot or two of gravel overlaying the clay. A person plants an orchard and it looks beautiful until about the fourth or fifth year as those roots go down and they hit that clay, and then there is a nasty winter and the whole thing dies.

As a result of that, I think it was in 1974, when I was president of the Ontario Fruit and Vegetable Growers Association I made a presentation to the Crop Insurance Commission asking that trees be insured. In order to maintain a reasonable premium and to get away from paying for the cost of losses in this marginal situation, I had proposed that the agricultural representative or the fruit specialist or a committee—it could be other fruit growers in the area—would look at a site.

One of the easiest ways to look at a site is to bring along a shovel, if one is not inclined to bring along a backhoe, and dig down to find what is underneath of it. If there is not good drainage, then it was my thinking that one should perhaps be denied crop insurance on that acreage or that the premium should be put so high that it will cover the losses. I would hate to see this program abused to the point that the government might back away from it or to the point that those people who have a chance to be successful find the rates are simply too high.

I will return to my original theme and point out the changing conditions that take place in the growing of tender fruit. Just a half mile north of the Cedar Springs Ridge, which is the prime area for growing fruit, there is a terminal moraine. The terminal moraine is still to be seen in some instances. It was where the glacier came south and brought down rocks with it from the pre-Cambrian shield. People in the area have some nice stone houses built of rock that really came from northern Ontario.

As the glacier advanced, it reached a point of

no growth, melting as fast as it was advancing. It deposited all that rock and rubble in a line 30 to 40 miles long and about half a mile wide. Because of the difficulty of clearing that land and the fact that farmers avoided it, there was a strip of trees, a forest about half a mile wide along that area. In my father's and grandfather's time, when they were growing fruit they always had the protection of that strip of trees some half mile north of the ridge. Now land has a higher value and stone-pickers and bulldozers have made it easy to clear the land and there are not too many pieces still visible.

That is one instance of how the ecology is changing. Another instance is, partly because of the grants and so on given by this government, fields have been enlarged, fence rows have been removed and there have not been enough trees available to really get into a good tree planting program, although some are starting to appear to put in windbreaks.

I think it was in 1975 we had a very severe winter storm, a blizzard. There was probably something like eight or 10 inches of snow dropped on the flat in Kent county, along with very cold weather. The day after, one could look at newly ploughed fields, because they fall-plough in the area, and the hummocks of the ploughing were showing through. There was only an inch or two of snow on the ground. It was all in the cemetery because the tombstones collected it. The snow covered them and you could not see the cemetery. The small fruits orchards were covered, to a depth of eight and 10 feet in my orchard. In the cities and small towns people just could not move. It was a three-day storm. People could not get out of their houses. Snow was up to the roofs of houses in many instances.

A week from now I will be 60, and in all my years I have never seen mice attack peach trees. They love apples but they never attack peach trees. That snow stayed there for two or three months. We were not looking for mice or thinking about them. I had my apple trees in mind and I was watching them. When the snow melted I had 35 acres of fairly newly planted peach trees—all just coming into good production after five or six years at a cost of about \$2,000 an acre—that were girdled. They were not just girdled down at ground level. The mice had gone up the trees a distance of six feet. You could take a shovel at the bottom of one of the peach trees and shovel up a bushful of bark. I mention that because that is part of the life of a

fruit grower and that is the kind of thing that influences fruit growing.

4:40 p.m.

This bill is a good bill because it touches another area. Because of the risk in growing these crops, producers such as our family and others have always diversified their production. There are a few acres of peaches, pears, plums, cherries, apricots, strawberries, raspberries and vegetables. It made for diversification and it shared the risk among those items.

The one thing it guaranteed was that one never went broke. One never made any money either. One always lost on—I was going to say oranges and apples, but it would not be appropriate—one or two of those crops that took away from the others, and one could not use the economy of scale either. We are competing with people who are doing these things on a tremendous scale.

The member for Welland-Thorold mentioned the state of Washington. The apple production in Washington is over 50 million bushels. All of Canada produces about 25 million or 26 million bushels. In Ontario there are about 9 million bushels. They have whole counties and river valleys in Washington that are planted to apples. They have a cost of about \$3 to \$4 per bushel shipping them down here, so we still have some room to grow apples, but because of the risk the producers were taking, they diversified too much.

To come back, compete and grow large acreage of these tender fruits, we need the protection of this act. I am sorry to say to the minister it has come 10 years too late. If he drops into my neighbouring county of Essex, he will find a great deal of the peach land—and they have valuable peach land in Essex—has now been taken over by the processing tomato people.

Without big harvesting machines, if they happen to get into a wet fall, they have absolute chaos on poorly drained soil. They have moved into those valuable fruit lands and are now growing processing tomatoes on them.

I hope this will help us come back to having a viable peach industry here in Ontario. What I have said applies to other tender fruits as well, but peaches are the main item.

On the matter of perennial plants, the member for Huron-Middlesex has mentioned hay. That is one of the most neglected crops we have in Ontario from the standpoint of soil erosion, building soil, marketing, pricing and so on. At

the same time, we have a huge market for hay in the southern United States that cannot be filled.

A bale of hay down in Florida sells for \$15 or \$16. There are all sorts of empty trucks that have brought up those semi-tropical fruits to Ontario in the proper season of the year if they want the hay for the tourist season to feed all those horses. I was going to say nags, but I might insult some of my constituents who are race horse fans.

It reminds me of a story my grandfather always told. He sent some cattle to the stockyards in Toronto years ago. The prices were not what he wanted at the time, so he had them hold those cattle over for about a week or 10 days. When his cattle were finally sold, they sent him the proceeds of the cattle sale, which was not very much, but they sent him a bill for the hay. When he looked at the bill for the hay, he said, "I took the wrong product to Toronto. I should have taken hay to Toronto." They had charged him an exorbitant price for that hay.

We have an opportunity in soil building, diversifying, to improve balance of trade and sell an Ontario product. We need a lot of work done in that area besides the one we are talking about. We need compactors, balers that will compact the hay so one can get a good-sized load on a van. There are two or three machines in Ontario now that compact hay eight or 10 times greater than the normal bale without affecting the quality of it. I would like to see the minister step into that area and do something about it.

I just want to finish on the note that the reason they would not listen to me on the matter of putting some conditions on whether or not one was granted crop insurance for a particular crop was that the commission did not want to get into making management decisions. Yet I find they do make management decisions because I had one fellow who wanted to grow black tobacco and he did not have a contract. That is a crop that is grown strictly on contract. He was growing it for a speculative market in the United States. He had investigated all of the ramifications of it, and it appeared there was no reason to stop him selling his tobacco in the states.

Southern Kent county is acknowledged to be the best place in the world to grow black-fired tobacco. There is only about 200 to 300 acres of it grown there, but it is better than the tobacco they grow in the states, as is the flue-cured tobacco. I have a few growers in my riding too.

Mr. Nixon: Do you snuff that stuff, put it in your—

Mr. McGuigan: You put it under your tongue. The member for Brant-Oxford-Norfolk has brought up the point that a lot of people working in mines, in the forests, refineries—

Mr. Nixon: Pitchball.

Mr. Swart: Baseball.

Mr. McGuigan: —baseball, whatever, who require the use of tobacco are quite appreciative of the fact that they can use that snuff tobacco.

Mr. Nixon: Bubble gum is replacing it.

Mr. McGuigan: It gets on your shoes or your face.

The main point I want to make to the minister, if I can have his attention just for a moment and then I will close, is they would not give him crop insurance on his tobacco because they said they did not want to get into a management situation where the producer might want to sell that crop to the Crop Insurance Commission of Ontario. They cited tomatoes as an example. Apparently, the odd, unscrupulous producer will try to let the tomatoes freeze by leaving them in the fields and then sell them to the commission. It is not a widespread thing, but the odd person is accused of doing that, or at least the crop insurance commission made that accusation.

I pointed out to them that in the case of tobacco a grower would not know whether he faced any sort of a market situation until it was in the barn. He would not be able to make any determination or any guess in the field. It is only when it is in the barn. The hazard in the barn is fire because fires are burned underneath the tobacco. In fact, a neighbour of mine lost a barn just a couple of weeks ago. Every two or three years somebody loses one of these barns. The hazard in the barn is fire and it is covered by insurance.

The crop insurance commission did take notice of what I thought was a cultural and growing condition. Yet they always said they did not want to take any recognition of that in the matter of these trees.

I suggest the minister can think about whether or not he wants to look at some of these orchard sites. I know it is a ticklish area and he may make a few bad friends, but it would be a terrible disservice to the industry if this bill failed to do what we hope it will do.

Mr. G. I. Miller: Mr. Speaker, it is a pleasure to have the opportunity of speaking on Bill 85, An Act to amend the Crop Insurance Act of Ontario. I think it is a step forward. It will be

useful for the areas it is designed for, particularly the fruit and perennial plants and the seeding of our fields.

I would like to point out to the minister that the record of this government has not been all that great over the past years. I can recall when Norfolk county was a major peach-growing area and there were peach farms there for many years that provided an excellent quality of fruit. In the last few years, perhaps due to the weather conditions, the peach industry has gone downhill in that area of Ontario.

4:50 p.m.

Mr. McGuigan: Grant Fox?

Mr. G. I. Miller: Yes, Grant Fox. That is known as the Fox Peach Farms. They had outlets at Delhi and Simcoe. They had several outlets which provided an excellent quality of peaches. They certainly can grow them, this insurance policy should encourage the development of the industry. We do have ideal soil conditions and windbreaks, etc., to provide for a good producing area.

I would like to take the opportunity while discussing crop insurance to say we have had some complaints about the manner in which crop insurance has been operated. As the minister knows, many big operators are not taking crop insurance because of the averaging system. If a farmer has a failure in one area and the average, across the board, is at a certain level, the farmer is not able to qualify.

In Alberta, for instance—this is a good comparison—there are many large farms. We have a nephew working just out of Blackfalds. They had a hail storm that wiped out a share of the crop on the farm he is working on. They had several thousand acres and were able to collect insurance immediately after the storm. The damage was assessed, the payments made and the farmer had his return within a few weeks of the storm.

In Ontario that is not possible. One has to wait until the crop is harvested to get the average. Perhaps the ministry could look into that. It would get a higher use and a better return on the investment. The insurance could be broken down on a smaller area basis. This would encourage farmers to take the insurance.

Another area brought to our attention was the grassland in northern Ontario. The critic mentioned it in his opening remarks, but it was brought to our attention again that the grass farmers in that area have not been able to collect when they had poor crops because of the

computer. Again, averaging was utilized and they were not very enthusiastic about taking insurance to protect that good area of northern Ontario where there is a lot of potential. Again, the Ministry of Agriculture and Food is not carrying out its responsibility.

The third area brought to our attention concerned the tobacco crop. Again, this year a hail storm had gone through Walsingham and several of the tobacco-growing areas. They were hit with sporadic showers of hail which did considerable damage, particularly in the Walsingham area. The complaint I received from there was that some farmers were allowed to cut down and some had to work hard to clean it up and maintain it. There seemed to be a little discrepancy in the way it was assessed.

I had the opportunity of taking a tour of the area shortly after the storm had gone through, and the farms I looked at certainly had a tremendous amount of damage. The neighbouring farm had already cut it down. It appeared there was some unfairness, and I am not pointing my finger at the people who are calling the shots there. I just want to bring it to the attention of the minister that there were some different philosophies used in assessing the damage of that crop.

I know this is a step forward. The government is not putting all that much money from the provincial treasury into it. The federal government matches it. I believe the other provinces deal with on the same basis. They match it on a 50-50 basis.

One wants to encourage the use of the insurance in Ontario and to give our farmers the protection they need because farming is a difficult and hazardous occupation. Farmers depend on the elements. They are at the whim of the weatherman. I think they need all the support they can get. Perhaps the ministry can revamp this so we can get a better deal for the farmers.

Mr. Nixon: The tobacco farmers in my constituency are very glad indeed that this extended coverage is now being enacted. Mr. Speaker, you will notice it is retroactive to the end of last year so the damage that took place last winter would be included, I presume.

I was also quite interested that the second part of the extended coverage applies to land where a crop would have been planted but was not planted because the weather was bad. Certainly, this spring there were many farmers who availed themselves of a claim on that basis.

I thought I would be making a similar claim

myself on our own farm. While I was engaged in the urgencies of the meetings of this House last spring and the weather was so bad, along with my neighbours I found it was increasingly difficult to get a crop in on land that has produced a crop every year for probably 150 years in that area.

The member for Kent-Elgin was quoting his dad. My father used to say, "We have had a crop off this land, the old farm in South Dumfries, without fail every year since about 1840." Even this year we were able to get our crop in. While it did not look too hot, at least so far the yields, together with the prices, have been good enough so that, thank God, there will be no claim on crop insurance.

We are well served by our local crop insurance agent, who looks after the farmers very well indeed and looks after the interests of the crop insurance commission. He is a good salesman and he is not too soft in the head when it comes to dealing with claims. He is a very highly respected farmer himself, who is now retired and certainly serves the community and the commission extremely well indeed.

I noticed in the application I signed this spring that there was at least one significant change. I do not know whether it is attributed to the new chairman or not. The involvement of the government of Canada in the financing of the program is very clearly set out in type that cannot be mistaken. A lot of the farmers think we owe this whole thing to good old Bill Stewart or good old Dennis Timbrell when, of course, half the cost of the actual premiums—I am informed by my colleague, our critic in agriculture, that this amounts to approximately \$15 million—is paid up front by the federal taxpayers. In other words, Eugene Whelan's generosity accrues to the benefit of the farmers in this regard.

I believe instead of it being the chairman of our own commission, although he would be inclined to give it the credit if he possibly could, it may have been the insistence of the government of Canada itself, which for once decided it would not hand over the money, no strings attached, to an upwardly mobile Conservative politician in Ontario to buy whatever benefit he might with the generosity of another level of government.

I do not want to get political in this regard, but I often feel the generosity or thoughtfulness of the federal programs, which are heavily financed at the federal level, are not properly attributed.

Therefore, I was glad to see that the applications this year brought this out very clearly.

To get back to the provisions of the bill, particularly section 1, I was also interested that my colleague the member for Haldimand-Norfolk (Mr. G. I. Miller), when speaking about the apple and peach crop in the area, spoke about the fact that peaches used to be grown in large quantities and excellent quality. Interestingly enough, as one gets near the climate border for growing peaches, the quality does not deteriorate. Some people think they have something special.

The problem is that about every five years all the trees are killed. People tend to think, "Peaches perhaps are bred a bit harderier or maybe our winters are a little milder; we can plant an acre or two of peach trees." Normally, they grow very well and give marvellous quality harvests, and yet the chances of them surviving any reasonable length of time is a bit slim. I know in our own backyard, we plant peach trees every now and then; we have a few coming on now. They just gave us an excellent yield this very summer, but the chances of them surviving as a proper marketable crop are questionable. I do not know what the policy of the Crop Insurance Commission is in that regard.

5 p.m.

I was interested to hear my colleague the member for Kent-Elgin say that the inspectors perhaps ought to examine the drainage of an orchard; it has so much to do with the productivity and longevity of the trees. The same certainly is true of peach trees; the geographical location can almost be set out with a clear line as to whether they will survive the frost over a five-year period.

I also want to draw the minister's attention to something that might have been included, and that is perhaps a more generous approach in crop insurance to emerging or experimental crops.

The minister and his colleagues are aware of the difficulties experienced by those agricultural pioneers in Norfolk county who are establishing a peanut industry. The minister will know, and will be glad to hear again, that the crops this year in the peanut industry are excellent. It appears that the returns are even approaching the projections of the minister's research experts, made some years ago after the experimental plots were grown under the aegis, I believe, of the Ontario Agricultural College. These experiments are now largely conducted at the federal Delhi research station.

By the way, in this province now, OAC is usually thought to be the Ontario Arts Council since the reputation of the real OAC has been allowed to sag so substantially by the inadequacies of the funding and leadership at the ministry lately.

We know that this crop has now established itself very well indeed, and we are hoping very much that the returns this year will be such that a number of other farmers who own fox sand—I believe that is the designation of the soil best equipped to produce a good peanut crop—will be brought into this industry.

I want to say to the minister that I feel his ministry's approach to crop insurance in a new crop—and peanuts is certainly the one I have in mind—is something less than it might have been. Everybody—the minister and his predecessors, the farmers themselves—is very anxious that an alternative crop that can be grown parallel to tobacco can be established. I personally believe that peanuts will be the crop. It does not return nearly as much dollar value, but at least it is better than some of the alternatives that those of us who are farming on clay soil still have to put up with.

The minister knows that the farmers had a difficult time in three of the last crop years and that the returns were far short of what was predicted by the minister's own contract specialists in this regard. During the emerging years, when the crop was still experimental, it would have been far better to establish some sort of insurance program on the basis of what the productivity could have been, based on the research.

Instead of that, a rather elaborate formula was established that led to a good deal of dissatisfaction. The minister knows it also led to appeals, which even themselves were anything but satisfactory to at least some of the farmers concerned. The minister was good enough to have his officials review some of these complaints with my constituents, but the whole business—not the hearing—was a very unsatisfactory circumstance. It is something that, perhaps on another occasion, we will discuss in some detail.

It seems to me that since the government assisted the farmers moving into the new peanut industry in a rather useful way, it might very well have put a safety net under the industry for the first few years by saying it would pay insurance up to a certain percentage of the experimentally predicted yields.

To go into the fields and mess around count-

ing the actual peanuts on the ground and to make pejorative comments about the adequacies of the farmers who were actually doing the growing and trying to harvest the crop using equipment developed for Georgia and other locales where the peanut harvest is much different, was something very difficult to take.

The farmers felt they had suffered a lot of economic pressures, and the problems with crop insurance in this connection were something they felt they did not merit. They felt that by moving into this in an experimental way they should have had more protection from the Crop Insurance Commission, aided by the policy established by the ministry for the commission, than they did.

Otherwise, we think the bill is well worth while. We are not going to oppose it.

Hon. Mr. Timbrell: Mr. Speaker, the purpose of the bill has been generated by the apple industry, and we have heard from members opposite about the apple industry, but in the main we have heard about many other parts of the agricultural industry. I will not take the time now to respond to all the suggestions. Some of them are perhaps more worthwhile than others, but I will take them under consideration.

I want to respond to three or four points. Perhaps I could start with the last of the opposition spokesmen.

In any of the ministries in which I officiated as minister, I have never ever hesitated to give to the federal government, or to any other level of government, the credit that is due to them. I have also never hesitated to apply criticism where I think it is warranted.

The honourable member is quite correct when he said that in the past two years we have taken steps to ensure that the federal government gets more of the recognition to which it is entitled with respect to the crop insurance program. This is not universal in all of Canada, there are still some provinces that do not do this, but I have no hesitation in doing it.

I want to point out to the member that when he talks about the problems of insuring the peanut crop, to the best of my knowledge the only way any commodity can be added under the crop insurance program is (a) if it is requested by a group of growers, whether it be the Tender Fruit Growers' Marketing Board, the Ontario Fruit and Vegetable Growers' Association, the Apple Marketing Commission or whomsoever; and (b) if the federal government, which does in fact pay 50 per cent of the premiums, agrees with any proposal from the commission, based

on those representations, to add either a new plan or some features.

I could be corrected, but I believe 1982 was the first year we offered peanut insurance. In fact, there was an error on our part, because the federal government did not agree in 1982. In order that the contracts that were offered and sold to growers in the province would be honoured, I got cabinet approval to cover those contracts even though the federal government at that point was still standing on the principle that because it was still an experimental crop it could not be insured or, in its view, should not be insured. Notwithstanding all that, the growers who bought the insurance that was made available to them were held safe.

The member is quite right. Some of the growers did go to arbitration. That is a provision of the crop insurance program. I think it is a very good provision, because while we do make every possible effort to employ the services of well-qualified, knowledgeable, respected farmers and people with a farm background or a business background, even they can make mistakes. Their decisions are appealable to the arbitration board.

This year, I went to Ottawa in April. It was one of my visits to Ottawa where I had a long list of things to discuss with my federal colleague. That was one of them. Fortunately, he and I were able to resolve that across the table in a matter of minutes. He accepted immediately my arguments that the peanut industry is past the experimental stage in this province and that surely it is time it is accepted by the federal government. Virtually in a matter of minutes it was solved. I give credit to my federal colleague where it is due.

5:10 p.m.

I must say I was a little taken aback with the member's comments about the Ontario Agricultural College. Perhaps when we are next in estimates in the spring he would come and elaborate on that. I think they do an incredibly good job. I think the member meant to take a shot at OVC, the Ontario Veterinary College, not at OAC, which has had its own particular problems.

Mr. Nixon: The Ministry of Colleges and Universities didn't want to help them out.

Hon. Mr. Timbrell: In fact, both of the problems at OVC have been resolved. In the spring of 1982, I announced additional funding of \$1.8 million a year for clinical education. Over the past year, I have given them the

assurance that, based on discussions with my colleague the Minister of Colleges and Universities (Miss Stephenson), the former Treasurer and now the Minister of Industry and Trade (Mr. F. S. Miller) and the Chairman of Management Board (Mr. McCague), the Ontario government is prepared to pay its share of the cost of designing and building any necessary new buildings or renovations to safeguard OVC's accreditation and, therefore, its role in veterinary medicine.

Mr. Nixon: But the upgrading money came from the federal government to begin with.

Hon. Mr. Timbrell: I am glad the member interjected that. To date, the position of the federal government—and one wants to give credit where credit is due; so let us also look at the other side—is that they are prepared to put up money only for the design stage for OVC. They are not prepared to make any commitment with regard to any necessary construction. In other words, they are saying, "We are prepared to pay for the conceptual work, the design work—all the engineering work, the architectural work and so forth—but we are not prepared to give you a commitment to build anything." I think that is wrong.

Mr. Nixon: Without them, nothing would have been done. You were letting it fall into rack and ruin; you and the minister in front of you.

Hon. Mr. Timbrell: In point of fact, that is incorrect.

Mr. Nixon: They've given you half the cost.

The Acting Speaker: Order. The member for Brant-Oxford-Norfolk has had his opportunity to participate.

Hon. Mr. Timbrell: Mr. Speaker, I would be glad to go over that with the member because—

The Acting Speaker: No. There are ways, and you are responding to his points.

Hon. Mr. Timbrell: I am not about to respond to the interjections except to say, with respect, that the member is mistaken. I would be happy to discuss it with him if he would come to my next estimates so that I could go over it with him. I will share with him correspondence, as I did at my last estimates, setting out very clearly the position of the government of Ontario with respect to OVC.

Both the member for Haldiman-Norfolk and the member for Huron-Middlesex raised a question with respect to calculations of coverage and benefits from crop insurance being based

on individual fields or farms as opposed to the total holdings of the insured. Obviously, it would be possible to do it that way, except that the cost of crop insurance would be exceedingly high as compared to the present level.

From time to time, I have had the argument made to me in written and oral submissions that it be narrowed down to "a" field—not just "a" farm, but "a" field. When one narrows it down that far, as opposed to overall yield from the farming operation for that crop, the risk is very much greater. Therefore, the premiums must be very much higher.

Again, I remind the members that for changes to take place in any or all of the plans that we offer for sale—and there are dozens of them, as we know—the federal government, which pays the other half of the premium, would have to agree. To this point, I have seen no indication whatsoever that they are prepared to agree to this, nor have I seen any widespread willingness in the agricultural community to pay much higher premiums for that kind of coverage.

Mr. G. I. Miller: They do it in Alberta. Why not do it in Ontario?

Hon. Mr. Timbrell: I am told the cost of crop insurance in Alberta is much higher than in Ontario. I have noted the member's comments. I am going to look into what he has described to see whether what has been reported to him is accurate and, if so, why it would work there and not here.

The member for Welland-Thorold is quite right in the point he raised. It is not unusual that an apple tree, to take that as an example, will not just die immediately; it may take two or three years. One of the things I pointed out in my opening statement was that to qualify for the tree loss rider, one must carry the other insurance for the loss of one's crop.

Through that insurance, the diminished yield will be covered over the one, two or three years, whatever it is, the tree in question is dying. Then, when it has been verified that it has died as a result of one of the listed perils and if it meets several criteria, the payment will be made as I outlined in my opening statement.

I should also tell the member that there are seven agents for fruit and, therefore, for fruit trees. We have placed advertisements in the media, and the Apple Marketing Commission itself has done a direct mailing to all apple producers in the province. We are making every effort to see that everyone is aware. Notwithstanding that, I have to tell the member the response has not been overwhelming.

We have 15 growers who have decided to avail themselves of the plan. I suppose a large part of that is a gamble. They realize, for instance, that in eastern Ontario the last time anything this serious hit was in the late 1930s or early 1940s, I believe. They are going to gamble; but if that is their choice, so be it.

We are making the plan available. We have made every effort, as has the apple commission, to make it well known that it is available and what its terms are. It is not a high premium; it is very low, in fact, compared to many other plans, at one per cent.

Mr. McGuigan: That has been the experience with most crops.

Hon. Mr. Timbrell: Yes; for some crops in some areas, because they take a look at the risk and say, "Well, what do we do?"

The other point the member for Welland-Thorold raised had to do with the question of unseeded acreage resulting from certain perils, which again are listed in the plans. This is covered for general crops, and in 1983—not surprisingly, given the kind of spring we have had—we have made some very substantial payments because of that part of the plan.

Two or three members have raised the question of the peach industry and what is being done about it. I would not want to pass by the opportunity to remind the honourable members of two aspects of our Board of Industrial Leadership and Development program. One, of course, is to improve our fruit and vegetable processing industry in the province. We have approved loans and grants to a variety of ventures in southwestern Ontario and in Niagara with respect to fruit and vegetable processing as well as apple storages around the province and various other storage and processing facilities.

We have also, since 1981, run a program through BILD providing the replacement of new peach and pear stock. If memory serves me correctly, because the last time I checked must have been six months ago now, up to that point we had paid out sums of money to fruit growers covering the planting of close to 40,000 new peach trees and close to 10,000 pear trees in the province as a result of that program.

The combination of encouraging the planting of new stock—which obviously is going to take a couple of years to come into production—and the improvement of storage and processing facilities on farms and the large processing facilities in the province will go a long way, we

believe, to improving that part of the agricultural industry.

Hon. Mr. Dean: Very worthwhile; I really appreciated that.

Hon. Mr. Timbrell: Thank you. That leads me to another point the member raised, and it concerns marketing. At present, my recollection is, 70 per cent of the apples we consume in Ontario are from domestic production. We are still importing some apples. There is a mistaken notion that some imported apples—and I am thinking particularly of Granny Smiths from France—because they are imported, because they are a little bit different, are somehow better. I have to agree with the member wholeheartedly that there are no finer apples to be found anywhere in the world than the varieties we produce in Ontario.

5:20 p.m.

I am constantly amazed when I come across some very interesting new varieties. Last year I sampled for the first time the new Empire variety which is an extremely good apple. I think it will be very popular in this market and in our export market. I was in Essex county in early September and I visited a large orchard there where I was introduced to an apple called the Jonamac. I had never heard of the Jonamac before. Undoubtedly the member for Kent-Elgin has. Again it is an exceedingly fine apple, one that stores well and I think will do extremely well in our domestic and foreign markets.

We do have some problems. Over the next two or three years we are going to have something in the order of one million new apple trees coming into production in the province. It behooves all of us in the trade and in the government to do everything possible to get the message across to domestic consumers about the wisdom, both in terms of quality and of price and availability, of consuming domestic products rather than imported, whether they be from Washington or France or South Africa or wherever, and also the need to watch very carefully our export markets.

Almost a month ago I came back from a mission to Israel and the United Kingdom. A large part of my four days in the United Kingdom was taken up with some of our leading onion and apple producers and sales operations. For instance, Keith Collver of the Norfolk Fruit Growers was there, and Jim Knight from Appleden Farms and people like that.

I had a very interesting letter from one of the gentlemen on the mission when we came back. I

do not know if he was a little shaken or if the mission had jelled his ideas and confirmed his fears. We are a little naïve, quite frankly, in the way we trade in some of these foreign markets. I spent a morning at the Spitalfield and new Covent Garden markets in London. Most of the fruit and vegetables on those markets was there on consignment from various parts of the world. We are running a very real risk, unless our own trade can get together and not continue to operate in a fractured way in these various markets—

Interjections.

Hon. Mr. Timbrell: What impressed me most—and I wrote back to the man just a day or two ago to thank him and ask him to come in to see me—what impressed me was that here was somebody in the trade saying that the trade has to get its act together; they have to work together.

When I was in Israel a month ago I could not help but be impressed with the Carmel operation, where many of the kibbutzim and the moshavim have got together and formed their own marketing organization that assembles the product, ensures the quality and markets the product abroad. There is a lot for us to learn over there and the apple—

Mr. Wildman: That is collectivism.

Mr. Swart: Socialism.

Mr. Wildman: Collectivism and socialism.

Hon. Mr. Timbrell: We can discuss that some time. The apple industry is a good example of where we have been successful, but there are a lot of forces at work around the world and in our own markets, both in terms of new trees coming into production and new ways of marketing abroad. We have to change, we have to keep up with that or we are going to have an even bigger problem in the future.

I think I have covered—

Mr. Riddell: What about crop insurance on forage crops?

Hon. Mr. Timbrell: As I recall, under the hay plan the actual yields are in fact sampled and they are included in the yield calculation.

Mr. Riddell: No, they are not.

Hon. Mr. Timbrell: I can recall having been up north a number of times this year and having corresponded with some individuals on that very subject. As I said, I will follow up the various comments made by members opposite, but my understanding is that they are included.

Of course, crop insurance contracts relate to

the individual farmer's experiences, the yields from his farm, so over time we have that base from which to work. We know what that farmer did last year, we know what he did the year before and what happens with the land in question.

I might just add, in response to something the member for Kent-Elgin said, that we, like him, recognize that hay is in fact a crop that could have or should have a tremendous potential and future for this province. To this point it is highly unorganized—in fact, it is totally unorganized—and we have an individual in the ministry who has been assigned the responsibility for developing a plan of action by the government to promote hay as an alternative crop and to improve on the marketing of that crop here, but particularly in the south.

Of course, that goes for so many commodities that we produce. That market, which is already our largest one, could be so much more lucrative for us and that is why we have done things like that with respect to hay, that is why we have put more resources into the marketing branch specifically aimed at the American market and that is why I intend to spend some time there over the coming year from time to time helping to make and strengthen our contacts.

I think I have covered most of the points. We will of course review the Hansard to make sure that if there are any I have missed we will respond to them.

Motion agreed to.

Bill ordered for third reading.

ONTARIO WATER RESOURCES AMENDMENT ACT

Hon. Mr. Brandt moved second reading of Bill 51, An Act to amend the Ontario Water Resources Act.

Mr. Conway: Another ex-Liberal who has done very well.

The Acting Speaker: Order. Interjections from the honourable member really just never stop.

Hon. Mr. Brandt: Mr. Speaker, when the remarks are complimentary, let him roll on. I see nothing wrong with it.

The Acting Speaker: The Minister of the Environment will speak to the bill.

Hon. Mr. Brandt: Mr. Speaker, today I am moving second reading of Bill 51, An Act to amend the Ontario Water Resources Act, which received first reading on June 2, 1983.

As indicated by my predecessor as Minister of

the Environment, the member for Kingston and the Islands (Mr. Norton), the act is being amended to improve its administration and application. Certain powers of approval under the act will be given directly to municipalities, thus reducing delays and costs. The provisions of the act dealing with rates and charges for sewer and waterworks are being expanded. The power to regulate wells and well drillers is being clarified. In addition, complementary changes in the authority to make regulations are made and certain obsolete powers are being revoked.

I have a few motions to amend to be dealt with in committee. As a result of a decision, which I believe the honourable members are aware of, by the Ontario Court of Appeal on October 17, 1983, I intend to move an amendment to provide that the authority to make an order under the act includes the authority to require the person to whom the order is directed to take such intermediate action or such procedural steps, or both, as are related to the action required by the order and as are specified in the order.

In the crown and CIP Inc., the Court of Appeal held that the act did not permit the inclusion in a control order under the Environmental Protection Act of an administrative direction requiring that an application for a certificate of approval be filed within a specific time. This decision could be applied to order-making powers under the Ontario Water Resources Act. Clauses of this kind provide a useful benchmark in order to test the willingness of a company to move ahead with abatement programs. We propose, therefore, to have this provision applied to existing orders.

I want to advise the members we will not appeal the Court of Appeal decision referred to in my earlier remarks. I will be making a few other motions to amend in committee to clarify and make fairer the provisions in Bill 51 related to rate setting as well.

5:30 p.m.

Mr. McGuigan: Mr. Speaker, we in this party will be supporting the bill. We do have some reservations about increasing powers. Any time the government comes back and asks for increased powers, I think as the guardians of the individual citizen of Ontario—which is one of the fundamental planks in the Liberal Party; I would remind our friends on the left that we regard the individual citizen as being the foundation of our society—whenever we see increased powers being asked by government, it always puts a red flag in front of us.

Mr. Wildman: I thought you guys liked the colour red.

Mr. McGuigan: Yes, that is why we respond to it. Perhaps that is why it may have been established historically with our party, I do not know. Sometimes I think maybe it is because we bleed a lot.

Mr. Nixon: How true.

Hon. Miss Stephenson: I do not think that is going to stop.

Mr. Riddell: Do not kid yourself.

Mr. McGuigan: Every member has a right to an opinion, but as my friend the member for Huron-Middlesex (Mr. Riddell) always says, it is a long road that has no turnings.

Mr. Conway: And a longer road that has no trash cans, said John Diefenbaker.

The Deputy Speaker: In the meantime, back to the bill.

Mr. McGuigan: This bill is going to committee and at that point we will be looking at individual clauses. I have nothing further to add to it.

I have a concern that perhaps I will mention at this time. It is the powers under the section dealing with water wells. Where we have new people coming into a subdivision that depends upon water wells or we are developing a new subdivision, the question always comes up whether they are going to deplete the underground water supply.

I have asked this question a number of times to see what happens as far as the law is concerned. I am always told the water supply is looked at before approval is granted for the subdivision and it is determined by geological processes that there should be enough water down there.

But I have asked what happens if there is not enough water down there. They never seem to really know what happens. Who has to suffer, the people who were there first or the people who came later? I guess we can go back to the old English law of riparian rights as a law that established that the first people there were guaranteed a supply and those who came later took their chances.

This is a very big thing in the United States where there are irrigation districts and the water supply coming down from the mountains to irrigate that land is limited. As more people come along and want to get into irrigated farming, they wish to diminish the supply of the

first people there. I hope we can address that part of the bill in committee.

Mr. Charlton: Mr. Speaker, I am also rising in support of Bill 51. I would like to make a few brief comments. The party on the left here is a party which also believes very firmly in the rights of the individual. That is exactly why we are not concerned or upset about the powers set out in this act, because they are all powers intended to protect the individual from irresponsible actions of other individuals, groups or companies, etc.

Mr. McGuigan: We are with you if it works out that way.

Mr. Charlton: A control order, which is what we are talking about here, and the regulations that regulate polluters, establish a mechanism for protection of the individual. It is not a mechanism to do anything other than to protect, or to stop something which is happening which should not be happening. We are supportive of the extended powers this bill includes.

We are also supportive of the approach the ministry is taking, although it is not well stated in the bill, to encourage municipalities to take over the operation of sewer and waterworks. We understand the intent of the ministry and the direction that has been set for some time. We have some reservations about exactly what that will mean in each case because, while the encouragement is set out here, the process is not clearly set out in black and white. We have talked to a few municipalities about the situation and no particular concerns have been raised with us at this point. If concerns do arise, we will have to raise them as they evolve in individual situations.

There are a couple of areas of the bill about which we have some concerns, not about what is included in the bill but about things which have not yet been dealt with in the sections set out. The bill has some sections that deal specifically with control orders and appeals to the appeal board, sections that deal with what happens when an appeal is made to the Environmental Appeal Board, and the question of a stay of a control order as a result of an appeal. Some specific situations dealt with are here. We are supportive of those situations. I have some concerns there can be other specific situations in which we would not want to see a stay.

The bill also sets out the power of the director to remove a stay in those cases, but we would at some point like to have some fuller discussion of the broader range and some guidelines under

which the director would remove a stay in other cases which are not specifically mentioned. What I am saying to the minister is that we have no objections to the specific situations set out, but we have some concerns about the possibilities of those situations which are not set out where the director could remove a stay, because we are not in a position to know what those situations might be as a result of this bill.

We have some specifics in front of us on an extended power to remove a stay, but under what circumstances? Are there going to be some guidelines? Will some of this definition be done in regulations which we have not yet seen? Those are some of the things we would like the minister to respond to with respect to those situations around appeal and stay.

When we get to the next bill, Bill 52, I will have some additional concerns I will raise about the whole environmental appeal process.

5:40 p.m.

We also have some comments to make about the areas that deal with regulations governing the keeping of records and providing of information returns on the approval, construction and maintenance of wells and the requirements for the qualifications of well contractors and technicians. It is important that the ministry have these powers in these areas, but we would like to see some definition, some setting out of the guidelines, qualifications and expectations that will be made and perhaps have an assurance from the minister that when the regulations that will obviously be developed in this area are ready, he will be prepared to sit down with the critics from the two opposition parties and discuss those guidelines and regulations in more specific terms.

In other words, we clearly see the need for the powers that are being set out in this act, but there is always some degree of discomfort in not knowing specifically what qualifications will be set out for well contractors and well technicians, what the regulations will say about the records and providing of information returns, what exactly the approval processes will be, what the construction and maintenance processes will be and what requirements will be set out in those regulations.

We are a little bit concerned about the extent to which this minister and this ministry may be taking the direction we now fear they are taking. They may be taking an entirely different direction altogether because the specifics are not set out in the bill.

At some point when the regulations are

ready, we would like to have a discussion with the minister about their impact and whether they cover all the things we see as problems from the past and as situations that should be dealt with in the regulations to protect consumers from some of the bad, inadequate and, in some cases, almost fraudulent things that have been done to them in well construction. We would very seriously like to see those regulations and go through them in detail with the minister at some point.

Mr. Nixon: Mr. Speaker, I would just like to say something on second reading. The minister is to be congratulated for bringing forward these amendments. He is also to be congratulated for instructing his staff to ask opposition members to deliver government cheques. For the first time in 22 years I got a call from somebody on the minister's staff saying, "We have \$81,000 for the town of Paris. Do you want to take it up? Do you want to drive the Brinks truck or not?"

I regretfully refused because I do not think it is the role of the elected members of the Legislature to take government money back; however, I felt that in conjunction with this bill we should know the minister is breaking new ground along with some other things. I do not think anybody should be delivering the money, but at least there is a new approach there. Now that the member for Middlesex (Mr. Eaton) knows about it, it will probably be reversed without delay.

Mr. Cassidy: Mr. Speaker, on a point of order: I regret very much what the member for Brant-Oxford-Norfolk has just said because I fear it might be another 22 years before the offer is made. On behalf of members who are temporarily in opposition, before we form a government, we cannot say—

The Deputy Speaker: That is not a point of order. Take your seat.

Hon. Mr. Brandt: I am glad we are sticking to the specific intent of the bill in this discussion. I would just like to say that while I appreciate and will accept the kind words from the member for Brant-Oxford-Norfolk, I also appreciate the indications of support for the bill from both of the opposition critics.

The intent of the bill, quite obviously, is for the amendments to strengthen the legislation very substantially. It is a matter that has been under discussion within our ministry for some long time and one we feel is going to bring about some very positive moves in a proper direction.

In particular, with respect to the area of

charges that has been addressed by one of the earlier speakers with regard to increased powers, I think we have balanced that off within the proposals we have here by developing a whole new appeal procedure which does give a very substantial opportunity for municipalities to voice their concerns and opinions on these kinds of administrative charges.

Just to give you an idea of what those charges normally amount to, they are in the range of about 2.5 to three per cent of the total cost of the bill in that section alone. It is not a substantial percentage of the bill, but one that we have to keep our eyes on to make sure that it is in balance. We can deal with some of the other details as we go into committee of the whole House on the bill.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

ONTARIO WATER RESOURCES AMENDMENT ACT

Consideration of Bill 51, An Act to amend the Ontario Water Resources Act.

Sections 1 agreed to.

On section 2:

Mr. Chairman: Hon. Mr. Brandt moves that clause 42a of the act as set out in subsection 2(1) of the bill be amended by adding at the end thereof "notwithstanding that the additional charges may not be attributable to costs incurred for the works or service."

Hon. Mr. Brandt: The present arrangement with respect to the charges for municipalities requires that my ministry, in effect, assess the charges on a volume basis for the cost to a municipality. What we are proposing here is that those costs be on an annual basis and that they be set in advance and on a more regular basis annually so that municipalities will know their costs up front before they establish their budgets. They will then be able to set their budgets in place far more easily than on the volume basis, which leaves a question in their minds as to what their actual costs are going to be.

5:50 p.m.

In effect, what this does is remove the surprises for the municipalities. It gives them a

predictable time frame in which to operate and the charges are more understandable.

Mr. Nixon: Volume of what?

Hon. Mr. Brandt: Volume of water.

Mr. McGuigan: Mr. Chairman, I am having some of the problems other members are having in understanding this. I guess the city of Chatham this year is a pretty good example. I saw in the paper the other day that because of the warm summer and dry weather we had, its volume was up about 20 per cent and, therefore, its revenues were up about 20 per cent. I presume that means at the end of the year it will be in the black. The kind of surprise one would like to have is to end in the black.

My presumption is that in setting rates at the beginning of the year, most municipalities would set them on the expectation of a minimum volume rather than being caught the other way around. I do not have the background experience to know about that, but I would ask the minister to explain that to us.

Hon. Mr. Brandt: Perhaps I could expand on what I was saying earlier. The objective of the new approach, as I have indicated, is to give the municipalities a clearer understanding of what their costs are going to be. On a volume basis that can fluctuate up and down quite dramatically. The bill could be considerably higher than what they anticipated before the time frame is up.

As an example, we have contracts that are in place for agreements with municipalities for a five-year period. What is proposed here is an annual review whereby the municipalities can adjust those rates to avoid those unnecessary large hikes that have accrued to some municipalities over the past while. The member is probably well aware of them because the municipalities make their objections well known to the government and to my ministry.

The other dimension to this amendment is to spread the administrative costs that impact on the Ministry of the Environment across all the users of that service. In effect, for everyone who is being provided an administrative service by the ministry, those costs are assessed across the board as opposed to a direct charge against the individual municipal user of that system.

In answer to the member for Brant-Oxford-Norfolk, this covers both water and sewage rates. They would be treated in quite the same way.

Mr. Nixon: You actually charge by volume?

Hon. Mr. Brandt: By volume, by gallage. One pays on that basis. The difficulty of the gallage basis is one gets these substantial variations that occur as a result of the gallage going up or down. As an example, a municipality—

Mr. Conway: Don't get too vivid now.

Hon. Mr. Brandt: I will try to be as unemotional as possible. A municipality could lose a major water user in industry that might go to another source of water if that was available to it, sometimes directly piping in water from a lake or river that might be available for its purposes. If the gallage or the litreage of that municipality's water system went down substantially, the cost would be borne across all the users of the system. It could hike their fees by a considerable amount of money.

Mr. Charlton: Mr. Chairman, I am a little confused by this. Perhaps if I state my confusion, the minister can straighten me out. He is saying that the additional charges will not necessarily be directly related to the costs of operation. Presumably, this means that the charges may, in fact, be higher than the actual costs of the operation. Is this correct?

Hon. Mr. Brandt: What I said was the costs—the expenses, administration charges—will be blended across the entire system so that some municipalities effectively could go up or some municipalities could go down. This is absolutely correct. However, there will not be a direct charge to that municipality, other than the total cost of operating the administrative expense for the ministry, because all the users of that service will be blended over all of the municipalities in question.

Mr. Charlton: The minister is saying then that there is going to be some variation. I am picking up two things and I am not sure which one is correct. The minister is saying that the municipality will not be charged any more than what the actual total costs of operation are, but that users may vary and costs go up, depending on the total number of users in the system and perhaps any shortfalls in use.

Hon. Mr. Brandt: There is the direct charge to the municipality for that particular service—water or sewage. However, there is also an administration charge. In the past, the administration charge has simply been added to the volume number, whatever that was. This was by agreement between the ministry and the individual municipality.

We have the first charge, which is the actual cost of the system. Added to that is the adminis-

tration charge. We take the second part of that, which is the administration charge, which is being blended across the provincial systems for administration purposes only in order to avoid a number of things that have happened and that we anticipate will happen in the future.

One of those things, as an example, has a very substantial direct impact on a given municipality—and it could be a small municipality—for something that is totally beyond its control. It could be the cost of a particular employee on a workmen's compensation case. What would happen in a situation like this is that the cost would be blended in such a way that the entire system would absorb the impact of this kind of a cost.

Therefore, there are two elements to it.

Mr. Wildman: Can the minister just clarify one thing? Does he anticipate that this new change in regard to administrative costs across the system will mean that the administrative charges to small municipalities will most likely go down? Is this right or wrong?

Hon. Mr. Brandt: It would be difficult for me to give the member that determination now. It is not the intent of the ministry to use this as a mechanism to extract more dollars from the municipalities. What it is intended to do is to develop a fair and equitable system across the board and, particularly, to protect the small municipalities from the large, sudden, unexpected kind of increase that has happened in the past because of situations beyond their control. This is one way of protecting against that.

Let me just add a caveat, and we will get into that part in just a moment. There is a very substantive appeal procedure which we have put in place to guard against the kind of problem I think the member is anticipating. It is where, for some reason which cannot be foreseen at the moment, a municipality finds itself in a situation where a combination of its rate and the administrative application causes a substantial rate increase. I have to take some personal credit for introducing the appeal procedure as, being the minister and a former municipal mayor, I introduced this particular amendment because I wanted to have a fair, equitable and balanced approach to the municipalities, giving them the opportunity to respond to a situation they deem to be unfair or inequitable for whatever the reasons might be.

Mr. McGuigan: From the understanding I have, the water commission is wholesaling water to the municipalities. In the past, at the end of

the year the ministry has taken the overhead costs and added that on to the bill the municipality receives. The ministry is now going to forecast what those costs might be and take the risk of falling short, plus or minus, so the municipality knows at the beginning of the year what those overhead costs are going to be. Is that what we are talking about?

Hon. Mr. Brandt: Yes, we are.

The Acting Chairman (Mr. Treleven): Before

the minister is tempted to answer, the clock has been pointed out to me.

Are you ready for the question on that or are there other questions?

Shall Mr. Brandt's amendment to subsection 2(1) of the bill carry?

Motion agreed to.

On motion by Hon. Mr. Eaton, the committee of the whole House reported progress.

The House recessed at 6 p.m.

CONTENTS

Tuesday, November 1, 1983

Statements by the ministry

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Propane-powered vehicles. 2633

McCaffrey, Hon. B., Provincial Secretary for Social Development:

Family violence. 2631

Walker, Hon. G. W., Provincial Secretary for Justice:

Family violence. 2629

Welch, Hon. R. S., Deputy Premier and Minister responsible for Women's Issues:

Family violence. 2632

Oral questions

Andrewes, Hon. P. W., Minister of Energy:

Hydro reactors, Mr. Peterson, Mr. Rae. 2637

Hydro rates, Mr. Rae, Mr. Peterson. 2639

Bernier, Hon. L., Minister of Northern Affairs:

Job creation, Mr. Eakins. 2646

McCaffrey, Hon. B., Provincial Secretary for Social Development:

Private nursing homes, Mr. Cooke, Mr. Peterson. 2644

Ramsay, Hon. R. H., Minister of Labour:

Long-term unemployment, Mr. Rae, Mr. Sweeney, Mr. Mackenzie. 2641

Ontario Labour Relations Board ruling, Mr. Kells. 2645

Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities:

Education in northeastern Ontario, Mr. Conway, Mr. Allen. 2643

Walker, Hon. G. W., Provincial Secretary for Justice:

Funding of transition houses, Mr. Peterson, Mr. Wrye, Mr. R. F. Johnston, Ms. Copps . . 2635

Petitions

Inflation restraint legislation, Mr. Breithaupt, Mr. Eakins, Mr. Conway, Mr. Foulds, Mr.

Swart, Mr. Ruston, Mr. J. M. Johnson, tabled. 2646

Broadway Avenue reopening, Mr. Wrye, tabled. 2647

First readings

District Municipality of Muskoka Amendment Act , Bill 106, Mr. Bennett, agreed to. . . .	2647
County of Oxford Amendment Act , Bill 107, Mr. Bennett, agreed to.	2648
Women's Economic Equality Act , Bill 108, Mr. Rae, agreed to.	2648

Committee of the whole House

Off-Road Vehicles Act , Bill 61, Mr. Snow, Mr. Cunningham, Mr. Samis, reported.	2648
Ontario Water Resources Amendment Act , Bill 51, Mr. Brandt, Mr. McGuigan, Mr. Charlton, Mr. Wildman, adjourned.	2665

Second readings

Crop Insurance Amendment Act (Ontario) , Bill 85, Mr. Timbrell, Mr. Riddell, Mr. Swart, Mr. McGuigan, Mr. G. I. Miller, Mr. Nixon, agreed to.	2649
Ontario Water Resources Amendment Act , Bill 51, Mr. Brandt, Mr. McGuigan, Mr. Charlton, Mr. Nixon, agreed to.	2662

Other business

Member's return to House , Mr. Peterson, Mr. Sweeney.	2637
Recess	2667

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
Andrewes, Hon. P. W., Minister of Energy (Lincoln PC)
Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)
Brandt, Hon. A. S., Minister of the Environment (Sarnia PC)
Breithaupt, J. R. (Kitchener L)
Cassidy, M. (Ottawa Centre NDP)
Charlton, B. A. (Hamilton Mountain NDP)
Conway, S. G. (Renfrew North L)
Cooke, D. S. (Windsor-Riverside NDP)
Copps, S. M. (Hamilton Centre L)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Cunningham, E. G. (Wentworth North L)
Davis, Hon. W. G., Premier (Brampton PC)
Eakins, J. F. (Victoria-Haliburton L)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Foulds, J. F. (Port Arthur NDP)
Johnson, J. M. (Wellington-Dufferin-Peel PC)
Johnston, R. F. (Scarborough West NDP)
Kells, M. C. (Humber PC)
Kerrio, V. G. (Niagara Falls L)
Laughren, F. (Nickel Belt NDP)
MacQuarrie, R. W. (Carleton East PC)
Martel, E. W. (Sudbury East NDP)
McCaffrey, Hon. R. B., Provincial Secretary for Social Development (Armourdale PC)
McClellan, R. A. (Bellwoods NDP)
McGuigan, J. F. (Kent-Elgin L)
Miller, G. I. (Haldimand-Norfolk L)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Peterson, D. R. (London Centre L)
Rae, R. K. (York South NDP)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
Riddell, J. K. (Huron-Middlesex L)
Roy, A. J. (Ottawa East L)
Ruston, R. F. (Essex North L)
Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
Swart, M. L. (Welland-Thorold NDP)
Sweeney, J. (Kitchener-Wilmot L)
Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
Treleaven, R. L., Acting Speaker (Oxford PC)
Turner, Hon. J. M., Speaker (Peterborough PC)
Walker, Hon. G. W., Provincial Secretary for Justice (London South PC)
Welch, Hon. R. S., Deputy Premier, Minister responsible for Women's Issues and Minister of Energy (Brock PC)
Wildman, B. (Algoma NDP)
Wrye, W. M. (Windsor-Sandwich L)

JUL 5 1984

